

LOUIS R. RIGBY
Mayor
JOHN ZEMANEK
Councilmember At Large A
DOTTIE KAMINSKI
Councilmember At Large B
DANNY EARP
Councilmember District 1



CHUCK ENGELKEN
Councilmember District 2
BILL BENTLEY
Councilmember District 3
KRISTIN MARTIN
Councilmember District 4
JAY MARTIN
Councilmember District 5
NANCY OJEDA
Mayor Pro-Tem
Councilmember District 6

CITY COUNCIL MEETING AGENDA

Notice is hereby given of a Regular Meeting of the La Porte City Council to be held July 9, 2018, beginning at 6:00 PM in the City Hall Council Chambers, 604 W. Fairmont Parkway, La Porte, Texas, for the purpose of considering the following agenda items. All agenda items are subject to action.

1. **CALL TO ORDER**
2. **INVOCATION** – The invocation will be given by Brian Christen, La Porte Community Church.
3. **PLEDGE OF ALLEGIANCE**– The Pledge of Allegiance will be led by Councilmember Dottie Kaminski.
4. **PRESENTATIONS, PROCLAMATIONS, and RECOGNITIONS**
 - (a) Proclamation - Parks and Recreation Month - Mayor Rigby
5. **PUBLIC COMMENTS** (Limited to five minutes per person.)
6. **CONSENT AGENDA** *(All consent agenda items are considered routine by City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Councilmember requests an item be removed and considered separately.)*
 - (a) Consider approval or other action regarding the minutes of the Regular City Council meeting held on June 25, 2018 - P. Fogarty
 - (b) Consider approval or other action regarding pay scale adjustments for Fiscal Year 2019 for police department Civil Service employees in accordance with Meet and Confer Agreement - M. Hartleib
7. **PUBLIC HEARINGS AND ASSOCIATED ORDINANCES**
 - (a) Public hearing to receive public comment(s) on the Northside Neighborhood Drainage Improvement Project and associated Texas GLO CDBG-DR 2015 Floods and Storms (DR-4223 and DR-4245) - L. Wingate
8. **RESOLUTIONS**
 - (a) Consider approval or other action regarding a Resolution authorizing the submittal of an application to the Texas General Land Office for the 2015 Floods and Storms (DR-4223 and DR-4245) Community Development Block Grant Disaster Recovery Program - L. Wingate
 - (b) Consider approval or other action regarding a Resolution authorizing submittal of an application to the Texas Water Development Board for Fiscal Year 2018-2019 Flood Protection Grant - L. Wingate
 - (c) Consider approval or other action regarding an Ordinance providing for condemnation of dangerous/substandard building located at 9906 Rocky Hollow based on the recommendation of the Dangerous Building Inspection Board - M. Kirkwood *(This item was postponed from the June 25, 2018, City Council Meeting)*

9. DISCUSSION AND POSSIBLE ACTION

- (a) Discussion and possible action regarding report received from the Economic Alliance Houston Port Region - J. Weeks

10. REPORTS

- (a) Receive report of the Drainage and Flooding Committee Meeting - Councilmember Danny Earp

11. ADMINISTRATIVE REPORTS

- Planning and Zoning Commission Meeting, Thursday, July 19, 2018
- City Council Meeting, Monday, July 23, 2018
- Zoning Board of Adjustment Meeting, Thursday, July 26, 2018
- La Porte Redevelopment Authority/Tax Reinvestment Zone Number One Meeting, Wednesday, July 11, 2018

12. COUNCIL COMMENTS regarding matters appearing on the agenda; recognition of community members, city employees, and upcoming events; inquiry of staff regarding specific factual information or existing policies. Councilmembers Kaminski, Zemanek, Bentley, Engelken, Earp, Ojeda, J. Martin, K. Martin, and Mayor Rigby

13. EXECUTIVE SESSION

The City Council reserves the right to meet in closed session on any agenda item should the need arise and if applicable pursuant to authorization by Title 5, Chapter 551, of the Texas Government Code, in accordance with the authority contained in:

Texas Government Code, Section 551.071 (2) - Consultation with Attorney: Meet with City Attorney and City Manager to discuss and receive direction regarding negotiations with Industrial representatives for terms of new Industrial District Agreements.

14. RECONVENE into regular session and consider action, if any, on item(s) discussed in executive session.

15. ADJOURN

The City Council reserves the right to meet in closed session on any agenda item should the need arise and if applicable pursuant to authorization by Title 5, Chapter 551, of the Texas Government Code (the Texas open meetings laws).

In compliance with the Americans with Disabilities Act, the City of La Porte will provide for reasonable accommodations for persons attending public meetings. To better serve attendees, requests should be received 24 hours prior to the meeting. Please contact Patrice Fogarty, City Secretary, at 281.470.5019.

CERTIFICATION

I certify that a copy of the July 9, 2018 , agenda of items to be considered by the City Council was posted on the City Hall bulletin board on July 3, 2018.

Patrice Fogarty



Council Agenda Item July 9, 2018

1. **CALL TO ORDER**
2. **INVOCATION** – The invocation will be given by Brian Christen, La Porte Community Church.
3. **PLEDGE OF ALLEGIANCE**– The Pledge of Allegiance will be led by Councilmember Dottie Kaminski.
4. **PRESENTATIONS, PROCLAMATIONS, and RECOGNITIONS**
(a) Proclamation - Parks and Recreation Month - Mayor Rigby
5. **PUBLIC COMMENTS** (Limited to five minutes per person.)

Office of the Mayor



Proclamation

WHEREAS parks and recreation programs are an integral part of communities throughout this country, including the City of La Porte; and

WHEREAS our parks and recreation are vitally important to establishing and maintaining the quality of life in our communities, ensuring the health of all citizens, and contributing to the economic and environmental well-being of a community and region; and

WHEREAS parks and recreation programs build healthy, active communities that aid in the prevention of chronic disease, provide therapeutic recreation services for those who are mentally or physically disabled, and also improve the mental and emotional health of all citizens; and

WHEREAS parks and recreation programs increase a community's economic prosperity through increased property values, expansion of the local tax base, increased tourism, the attraction and retention of businesses, and crime reduction; and

WHEREAS our parks and natural recreation areas ensure the ecological beauty of our community and provide a place for children and adults to connect with nature and recreate outdoors; and

WHEREAS the U.S. House of Representatives has designated July as Parks and Recreation Month

Now therefore, I, Louis R. Rigby, Mayor of the City of La Porte, along with members of the La Porte City Council do hereby proclaim the month of July 2018, as

“Park and Recreation Month”

IN WITNESS THEREOF, I have hereto set my hand and caused the Seal of the City to be affixed hereto, this the 9th day of July 2018.

CITY OF LA PORTE

Louis R. Rigby, Mayor



Council Agenda Item July 9, 2018

6. **CONSENT AGENDA** *All consent agenda items are considered routine by City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Councilmember requests an item be removed and considered separately.)*
- (a) Consider approval or other action regarding the minutes of the Regular City Council meeting held on June 25, 2018 - P. Fogarty
 - (b) Consider approval or other action regarding pay scale adjustments for Fiscal Year 2019 for police department Civil Service employees in accordance with Meet and Confer Agreement - M. Hartleib

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Mayor Pro-Tem

MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF LA PORTE JUNE 25, 2018

The City Council of the City of La Porte met in a regular meeting on **Monday, June 25, 2018**, at the City Hall Council Chambers, 604 West Fairmont Parkway, La Porte, Texas, at **6:00 p.m.** to consider the following items of business:

1. **CALL TO ORDER** – Mayor Rigby called the meeting to order at 6:00 p.m. Members of Council present: Councilmembers Ojeda, Zemanek, K. Martin, Bentley, Kaminski, Engelken, and Earp. Also present were City Secretary Patrice Fogarty, City Manager Corby Alexander and Assistant City Attorney Clark Askins. Councilmember Jay Martin was absent.
2. **INVOCATION** – The invocation was given by Viktoria Gotting, St. John's Episcopal Church.
3. **PLEDGE OF ALLEGIANCE** – The Pledge of Allegiance was led by Councilmember Kristin Martin.
4. **PRESENTATIONS, PROCLAMATIONS, and RECOGNITIONS**
(a) Proclamation – Ryan Schoppe Day – Mayor Rigby

Mayor Rigby provided a proclamation to Ryan Schoppe, who earned the state crown in the Class 6A Boys 3,200-meter run during the UIL State Track & Field Championships in Austin, Texas, and declared June 26, 2018, as Ryan Schoppe Day. Ryan was also presented with a gym bag and two other gifts from the City commemorating his accomplishment.

5. **PUBLIC COMMENTS** (Limited to five minutes per person.)

Richard Warren, 8730 Collingsdale, thanked Council for the stop signs placed on Martin Luther King and Tyler and the cleaning of ditches for proper drainage.

Chuck Rosa, 812 S. Virginia, addressed Council and suggested live streaming City Council meetings with the possibility of increasing voter turnout in the City.

Chris Kopycinski, 9425 Carlow, addressed Council regarding his water service having been cut off; he needs his water back on, but doesn't want to put down another deposit.

Rose Mary Williams, with Main Properties, will speak during the public hearing on Item 7(c).

6. **CONSENT AGENDA** *(All consent agenda items are considered routine by City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Councilmember requests an item be removed and considered separately.)*

- (a) Consider approval or other action regarding the Regular City Council Meeting held on June 11, 2018
- (b) Consider approval or other action awarding Bid #18013 for Pecan Park Satellite Restroom Facility – R. Epting
- (c) Consider approval or other action rejecting Bid #18015 for Fire Field Training Facility Addition – D. Ladd
- (d) Consider approval or other action to award Bid #18018 for Somerton Drive Waterline and Pavement Replacement, Venture Waterline, and Pecan Park Parking Lot Project – D. Pennell

Councilmember Engelken made a motion to approve all Consent Agenda items pursuant to staff recommendations. Councilmember K. Martin seconded the motion. **MOTION PASSED UNANIMOUSLY 8/0.** Councilmember J. Martin was absent.

7. **PUBLIC HEARING AND ASSOCIATED ORDINANCES**

- (a) Public hearing to receive comments regarding recommendation by the Planning and Zoning Commission to approve Special Conditional Use Permit #18-91000004 to allow for a specialty trade contractor use to be located on a 0.22 acre tract of land described as Lots 3-5, Block 789, Town of La Porte Subdivision in a GC zone; consider approval or other action regarding an Ordinance amending the Code of Ordinances of the City of La Porte, Chapter 106 “Zoning,” by granting Special Conditional Use Permit #18-91000004, to allow for a specialty trade contractor use to be located on a 0.22 acre tract of land described as Lots 3-5, Block 789, Town of La Porte Subdivision, in a GC zone – I. Clowes

The public hearing opened at 6:13 p.m. City Planner Ian Clowes presented a summary. Councilmember Zemanek asked if this is a new tenant. Mr. Clowes replied no.

There being no public comments, the public hearing closed 6:16 p.m.

Councilmember Zemanek made a motion to accept the recommendation of the Planning and Zoning Commission, and adopt an ordinance granting a Special Conditional Use Permit to allow for a specialty trade contractor use to be located on a 0.22 acre tract of land described as Lots 3-5, Block 789, Town of La Porte Subdivision, in a GC zone. Councilmember Kaminski seconded. **MOTION PASSED UNANIMOUSLY 8/0.** Councilmember J. Martin was absent.

Prior to council action, Assistant City Attorney Clark Askins read the caption of **Ordinance 2018-3712: AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF LA PORTE, CHAPTER 106, MORE COMMONLY REFERRED TO AS THE ZONING ORDINANCES OF THE CITY OF LA PORTE, BY GRANTING SPECIAL CONDITIONAL USE PERMIT NO. 18-91000004, TO ALLOW FOR A SPECIALTY TRADE CONTRACTOR USE IN A GENERAL COMERCIAL (GC) ZONING DISTRICT, ON A 0.22 ACRE TRACT OF LAND AND BEING LEGALLY DESCRIBED AS LOTS 3-5, BLOCK 789, TOWN OF LA PORTE SUBDIVISION, LA PORTE HARRIS COUNTY, TEXAS, MAKING CERTAIN FINDINGS OF FACT**

RELATED TO THE SUBJECT; FINDING COMPLIANCE WITH THE OPEN MEETINGS LAW; AND PROVIDING AN EFFECTIVE DATE HEREOF.

- (b) Public hearing to receive comments on the recommendation by the Planning and Zoning Commission to approve an Ordinance amending the City's Future Land Use Map Component of the Comprehensive Plan for a 0.28 acre tract of land located on N. 1st Street, north of W. Tyler Street, and legally described as Tracts 0-12, Block 85, Town of La Porte Subdivision, by changing from "Commercial" to "Low Density Residential"; consider approval or other action regarding an Ordinance amending the City's Future Land Use Map Component of the Comprehensive Plan for a 0.28 acre tract of land located on N. 1st Street, north of W. Tyler Street, and legally described as Tracts 0-12, Block 85, Town of La Porte Subdivision, by changing from "Commercial" to "Low Density Residential" – I. Clowes

The public hearing opened at 6:17 p.m. City Planner Ian Clowes presented a summary.

Rose Mary Williams, with Main Properties, spoke and stated her client, the buyer, requested this zone change. There were no additional public comments. The public hearing closed at 6:20 p.m.

Councilmember K. Martin made a motion to accept the recommendation of the Planning and Zoning Commission, and adopt an Ordinance amending the City's Future Land Use Map Component of the Comprehensive Plan for a 0.28 acre tract of land located on N. 1st Street, north of W. Tyler Street, and legally described as Tracts 0-12, Block 85, Town of La Porte Subdivision, by changing from "Commercial" to "Low Density Residential." Councilmember Ojeda seconded. **MOTION PASSED UNANIMOUSLY 8/0.** Councilmember J. Martin was absent.

Prior to council action, Assistant City Attorney Clark Askins read the caption of **Ordinance 2018-3713: AN ORDINANCE ADOPTING AN UPDATE TO THE FUTURE LAND USE MAP COMPONENT OF THE COMPREHENSIVE PLAN OF THE CITY OF LA PORTE, TEXAS UPON RECOMMENDATION OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF LA PORTE, TEXAS, FINDING COMPLIANCE WITH THE OPEN MEETINGS LAW; AND PROVIDING AN EFFECTIVE DATE HEREOF.**

- (c) Public hearing to receive comments regarding recommendation by the Planning and Zoning Commission to approve zone change request #18-92000005, for a change from General Commercial (GC) to Low Density Residential (R-1) for a 0.28 acre tract of land located on N. 1st Street north of W. Tyler St., legally described as Tracts 9-12, Block 85, Town of La Porte Subdivision; consider approval or other action regarding an Ordinance amending Chapter 106 "Zoning" of the Code of Ordinances by changing the zoning classification of a 0.28 acre tract of land located on N. 1st Street north of W. Tyler St., legally described as Tracts 9-12, Block 85, Town of La Porte Subdivision, from General Commercial (GC) to Low Density Residential (R-1) – I. Clowes

The public hearing opened at 6:21 p.m. City Planner Ian Clowes presented a summary. There were no public comments. The public hearing closed at 6:21 p.m.

Councilmember K. Martin made a motion to accept the recommendation of the Planning and Zoning Commission, and adopt an Ordinance amending Chapter 106 "Zoning" of the Code of Ordinances by changing the zoning classification of a 0.28 acre tract of land located on N. 1st Street north of W. Tyler St., legally described as Tracts 9-12, Block 85, Town of La Porte Subdivision, from General Commercial (GC) to Low Density Residential (R-1) Councilmember Kaminski seconded. **MOTION PASSED UNANIMOUSLY 8/0.** Councilmember J. Martin was absent.

Prior to council action, Assistant City Attorney Clark Askins read the caption of **Ordinance 2018-3714: AN ORDINANCE AMENDING CHAPTER 106 "ZONING" OF THE CODE OF ORDINANCES OF THE CITY OF LA PORTE, BY CHANGING THE ZONING CLASSIFICATION OF A 0.28 ACRE TRACT OF LAND LOCATED ON N. 1ST STREET, NORTH OF W. TYLER STREET AND LEGALLY DESCRIBED AS TRACTS 9-12, BLOCK 85, TOWN OF LA PORTE SUBDIVISION, FROM GENERAL COMMERCIAL (GC) TO LOW DENSITY RESIDENTIAL (R-1); MAKING CERTAIN FINDINGS OF FACT RELATED TO THE SUBJECT; FINDING COMPLIANCE WITH THE OPEN MEETINGS LAW; AND PROVIDING AN EFFECTIVE DATE HEREOF.**

8. ORDINANCE

- (a) Consider approval or other action regarding an Ordinance providing for condemnation of dangerous/substandard building located at 9906 Rocky Hollow based on the recommendation of the Dangerous Building Inspection Board – M. Kirkwood **(After the public hearing was closed, this item was postponed from the June 11, 2018 City Council Meeting)**

Deputy Building Official Mike Kirkwood presented a summary. He recommending holding off on the demolition at this to allow for the sale to go through.

Councilmember Bentley made a motion to postpone this item until the July 9, 2018, meeting. Councilmember Zemanek seconded. **MOTION PASSED UNANIMOUSLY 8/0.** Councilmember J. Martin was absent.

9. DISCUSSION AND POSSIBLE ACTION

- (a) Discussion and possible action regarding an agreement between the City of La Porte and Quest Youth Soccer Club – R. Epting

Parks and Recreation Director Rosalyn Epting presented a summary. Scott Sotelo, with Quest Soccer, was available to answer questions.

Councilmember Zemanek made a motion to accept the agreement as presented, but with removal of language indicating "select" teams. Councilmember Earp seconded. **MOTION PASSED UNANIMOUSLY 8/0.** Councilmember J. Martin was absent.

- 10. (a)** Receive report of the Fiscal Affairs Committee Meeting held on June 13, 2018 – Councilmember Chuck Engelken

Councilmember Engelken provided a report of the Fiscal Affairs Committee Meeting held on June 13, 2018, indicating Whitley Penn was the chosen auditors. He stated the City's current auditors have done a great job for the City, but to put a new group of auditors on the City's financial position is good practice.

- (b)** Receive report of the La Porte Development Corporation Board Meeting held on June 25, 2018 – Councilmember Nancy Ojeda

Councilmember Ojeda provided a report of the La Porte Development Corporation Board Meeting held prior to the City Council Meeting. She reported on the proposed budget and stated the board members decided to work with the current strategic plan and not go forward with a new one.

11. ADMINISTRATIVE REPORTS

City Manager Corby Alexander advised Council that staff will look into Mr. Kopycinski's concerns; he also stated the City has received preclearance on five projects through HARVEY funding. He thanked

Don Pennell, Lorenzo Wingate, and Kristin Gauthier for their work on submitting for these and other projects.

- 12. COUNCIL COMMENTS** regarding matters appearing on the agenda; recognition of community members, city employees, and upcoming events; inquiry of staff regarding specific factual information.

Councilmember K. Martin congratulated Ryan Schoppe on his wonderful accomplishment; she stated the Juneteenth Parade was great and so were the church services during the Juneteenth Celebration. Councilmember Kaminski also congratulated Ryan Schoppe on his accomplishment, and stated the Juneteenth activities were great. Councilmember Zemanek congratulated Ryan Schoppe on his great accomplishment; he wished everyone a Happy 4th of July, and stated he believes Donald Ladd had to go home early to bed at his advanced age. Councilmember Bentley and Councilmember Engelken congratulated Ryan Schoppe on his accomplishment. Councilmember Earp congratulated Ryan Schoppe and also Go Astros. Councilmember Ojeda congratulated Ryan Schoppe; thanked the Parks Dept. for Friday Night Flicks; thanked EMS for the very successful food drive; stated she was glad to see property being zoned residential; and stated there are bandit signs on Spencer that have been there for five weeks, and she believes, "We can do better than that." Mayor Rigby congratulated Ryan Schoppe on his amazing accomplishment.

- 13. EXECUTIVE SESSION** – The City reserves the right to meet in closed session on any agenda item should the need arise and if applicable pursuant to authorization by Title 5, Chapter 551, of the Texas Government Code, including, but not limited to, the following:

Texas Government Code, Section 551.071 (2) – Consultation with City Attorney: Meet with City and City Manager to discuss and receive direction regarding negotiations with industry representatives for terms of new Industrial District Agreements.

City Council recessed the regular Council meeting to convene an executive session at 6:50 p.m. regarding the item listed above.

- 14. RECONVENE** into regular session and consider action, if any on item(s) discussed in executive session.

Council reconvened the regular Council meeting at 8:03 p.m. This subject will continue to be discussed at future council meetings. No action was taken.

- 15. ADJOURN** - There being no further business, Councilmember Engelken made a motion to adjourn the meeting at 8:03 p.m. Councilmember Zemanek seconded the motion. **MOTION PASSED UNANIMOUSLY 8/0.** Councilmember J. Martin was absent.

Patrice Fogarty, City Secretary

Passed and approved on July 9, 2018.

Mayor Louis R. Rigby

REQUEST FOR CITY COUNCIL AGENDA ITEM

Agenda Date Requested: <u>7-9-18</u>
Requested By: <u>Matt Hartleib</u>
Department: <u>Human Resources</u>
Report: <u>Resolution: Ordinance:</u>

<u>Budget</u>	
Source of Funds:	_____
Account Number:	_____
Amount Budgeted:	_____
Amount Requested:	_____
Budgeted Item:	YES NO

Exhibits: Proposed 2019 Civil Service Pay Scale

Exhibits: 2017-2021 Meet and Confer Agreement

SUMMARY & RECOMMENDATION

As required by the previously approved City of La Porte/ La Porte Police Officer Association multi-year Meet and Confer Agreement, representatives of the City of La Porte and representatives of La Porte Police Officers' Association began work in April to complete the annual process prescribed in Article III-Wages. This process includes a market study of comparative police agencies, calculation of a market median based pay scale, analysis of the budgetary impact of resulting pay scale changes, and adjustment of the scale as needed to comply with the total salary budget increase cap for covered employees.

This year's market study resulted in proposed changes to the scale equal to a 4.2% total budgetary increase from the previous year. The cap for year two is 4%. Therefore, each step on the scale was evenly reduced to lower the budgetary impact to be equal to 4%. The resulting proposed pay scale was provided to the City and Association bargaining team members for review. On May 17th, City and Association teams met and agreed to the proposed pay scale. As required, the full membership body of the Police Association has also affirmatively voted to accept the proposed pay scale.

The existing Agreement and current pay scale (Attachment A of the Agreement) are pursuant to the provisions of the Texas Local Government Code and will be in effect until September 30, 2018.

Action Required by Council:

Consider approval or other action regarding the proposed Meet and Confer pay scale to be effective 10/01/2018 through 09/30/2019.

Approved for City Council Agenda

Corby Alexander, City Manager

Date

Meet and Confer Agreement

Between

The City of La Porte

And

The La Porte Police Officers' Association

October 1, 2017 – September 30, 2021

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Definitions

For the purposes of this agreement, the following definitions shall apply:

- A) "Accredited College or University" means one that is listed by an accrediting agency approved by the United States Department of Education, and as of result of that accreditation, offers courses that are "accredited"
- B) "Chief" means the Chief of Police of the La Porte Police Department or his designee.
- C) "City" means the City of La Porte, Texas.
- D) "Coveted position" as used in this Agreement means any position in the Department to which more than one sworn employee has expressed an interest in being assigned by the Chief.
- E) "Department" means the La Porte Police Department.
- F) "Employee" means a sworn Police Officer who is a member of the bargaining unit.
- G) "Employer" means the City of La Porte.
- H) "Officer" means any sworn Police Officer who is covered by this Agreement.
- I) "Association" means the La Porte Police Officers' Association
- J) "TCOLE" means the Texas Commission on Law Enforcement.
- K) "TLGC" means the Texas Local Government Code.

Unless otherwise stated, it is understood and mutually agreed that masculine and feminine pronouns refer to, and include, both genders equally.

Article I

Authority and Recognition

1. The City of La Porte and the La Porte Police Officers' Association have voluntarily met and reached agreement on the conditions set out in this agreement pursuant to the provisions of the Texas Local Government Code, Chapter 142 et. seq., Subsection B. To the extent that this Agreement is in conflict with or changes Chapter 143, TLGC or any other statute, executive order, local ordinance, or rule, this Agreement shall supersede such provision, as authorized by Section 142.067 of the TLGC.
2. The City recognizes the La Porte Police Officers' Association as the sole and exclusive bargaining agent for all non-probationary Police Officers in the La Porte Police Department, excluding the Chief of Police and the Assistant Chiefs of Police.

Article II

Hiring Preemptions

1. In adopting this Agreement, the parties recognize the need for more flexibility in the hiring process to meet the needs of the Department and believe it improves the selection process by allowing for the lateral hiring of experienced Police Officers, Certified Texas State Peace Officers, and/or otherwise qualified mature applicants.
2. Effective with the ratification of this Agreement, the City shall be allowed to fill vacancies in the entry level Police Officer classification by hiring experienced police officers and/or peace officers certified by TCOLE without requiring these applicants to take a civil service exam. An applicant hired pursuant to this Article may be appointed directly to a pay grade/step commensurate with his/her level of experience; however applicants hired in this manner shall not receive any sort of longevity or seniority relating to promotional eligibility, shift bidding, pay or other privileges of employment. Once a newly-hired Police Officer is placed in the appropriate pay grade/step, the Officer shall progress through the remaining steps of the pay scale on each anniversary date, so long as all eligibility requirements contained in this Agreement are met.

To qualify for the lateral entry program, applicants must pass a physical fitness exam, a comprehensive background investigation, to include psychological, polygraph, medical exam, drug screening and a 12 month probationary period. Applicants must additionally meet the following criteria:

- Education and Experience: Graduation from an accredited Police Academy.
 - Licenses and Certificates: Possess a Basic Peace Officer license issued by TCOLE by the time of appointment.
3. Police Officers hired pursuant to this Article shall be compensated according to his or her total number of years of full time experience in law enforcement, up to a maximum of seven (7) years. The Chief of Police shall make the final determination of whether an applicant meets the criteria of the Lateral Entry Program, and his decision shall be final and non-appealable to the Civil Service Commission or to any court. No rank will transfer.
 4. Specifically, this Article preempts, to the extent of any conflict, all contrary State statutes, local ordinances, executive orders or civil service provisions as they relate to the hiring of the classification of Police Officer. More specifically, this Article pre-empts TLGC, Section

143.023 (c), and permits the Department to hire persons 45 years of age and above, provided that the person has five (5) years of cumulative active military service, or five (5) years of continuous service as a certified peace officer in the State of Texas by the estimated date of hire and can meet all other hiring criteria required for employment as a Police Officer with the City of La Porte. A person is not eligible to apply for a position as a Police Officer in the Department unless the person will be at least 21 years of age at the time of commission and meets minimum eligibility requirements for a Police officer as outlined in local civil service and TCOLE rules.

5. To the extent that any of these provisions differ from Chapter 143 of the Texas Local Government Code, this Article supersedes and pre-empts those provisions as permitted by Chapter 142.067 of the Texas Local Government Code. In addition to the pre-emption noted in Subsection 4 above, this Article also pre-empts Sections 143.024, 143.025, and 143.026 of the Texas Local Government Code.

Article III

Wages

1. The City of La Porte and the La Porte Police Officers' Association hereto agree that a "market approach" philosophy shall be used as a guideline to determine appropriate wage scales for Officers of the Department. In implementing this approach, the parties agree to compare wage rates with Police Officers in comparative cities within the region via a market survey. The definition of "market" is the median salary for each pay grade for the Cities surveyed.
2. The City and Association further agree that the aforementioned market survey will be renewed in April of each year during the term of this Agreement and that median level salary rates for Police Officers covered in this Agreement shall be revised to reflect the current market, as determined from the results of the market survey. Any annual increase will reflect the market survey up to, but not to exceed, a set percentage of the collective salary budget for police officers as compared to the immediately preceding fiscal year according to the following schedule.
 - a. Year 1 – 3%
 - b. Year 2 – 4%
 - c. Year 3 – 5%
 - d. Year 4 – 5%
3. This agreement makes no changes to the current step schedule for the ranks of Police Officer, Sergeant, and Lieutenant.
4. Each year, The Association will appoint a representative to work with the City's HR Manager in conducting a salary survey from Texas City, Galveston, Baytown, League City, Pasadena, Pearland, Friendswood, Sugarland, Missouri City, and Deer Park. The salary survey will reflect employee salaries as of April 1 of the current year. The Association will provide name of their appointed representative to the City's HR Manager no later than April 1 of the current year. The City's HR Manager shall coordinate the survey, with the assistance of the City's Finance Department and the Association's appointed representative, and will have the information collected and the proposed adjusted pay scales completed and presented to the Association and City Bargaining Team members no later than May 31 of the current year. Once the above mentioned salary survey has been completed, the proposed adjusted pay scales will be created by:

- a) Determining both the median minimum and maximum salary range for each of Police Officer, Sergeant, and Lieutenant for the above ten (10) listed cities using the Median Salary Worksheet. Salaries for the City of La Porte are not included when determining the median salary ranges.
 - b) For Police Officer, the minimum median salary will be set as the new La Porte CS1-0 salary. The maximum median salary will be set as the new La Porte CS1-12 salary. CS1-0 will then be subtracted from CS1-12 and that amount will then be evenly distributed across the range. CS1-15 is then 75 cents above CS1-12 and CS1-20 is then 75 cents above CS1-15.
 - c) For Sergeant, CS2-0 is 3% above CS1-12 or the minimum median salary for the rank of Sergeant from the salary survey, whichever is higher. The maximum median is then CS2-6. Subtract CS2-0 from CS2-6, then evenly distribute across the range.
 - d) For Lieutenant, CS3-0 is 3% above CS2-6 or the minimum median salary for the rank of Lieutenant whichever is higher. The maximum median is then CS3-3. Subtract CS3-0 from CS3-3 and then evenly distribute across the range.
5. The new step pay rates will then become effective on October 1 (the first day of the fiscal year following the current fiscal year), so long as the proposed increase does not exceed the designated percentage of the approved salary budget for the current fiscal year.
 6. Should the new step pay rates be projected to exceed the designated percentage of the collective salary budget for police officers for the current fiscal year, the proposed increase for each individual step will be reduced by the same percentage in order to meet the applicable cap. This will be accomplished by first determining the percentage that the proposed collective salary budget exceeded the applicable cap of the actual collective salary budget for the current fiscal year and then reducing each individual step by that same percentage.
 7. Once proposed pay scales have been created by the City Finance and Human Resources Departments each April, the City and Association bargaining team members will review the proposed pay scales revisions and ensure that same are accurate. Once agreed upon, the new rates will take effect subject to the approval of City Council and the Association.
 8. Employees shall receive step increases on the anniversary of their appointment to their current rank. If an employee receives a less than satisfactory performance evaluation

(anything below a 3), the employee will not receive a pay increase of any type (including lump sum payments referenced in Article III Subsection (4) and the current step increase will be held until the employee earns a satisfactory evaluation (3 or above). Once the employee's performance evaluation has been improved to a satisfactory rating, the employee shall be placed at the then-current step for his/her time in grade. If an employee receives an "exceptional" evaluation (above a 4), the employee will be moved up two steps on his/her anniversary date. Upon receiving the next evaluation, that employee shall be placed at the then-current step for his/her time in grade. This Section will not apply to any cost of living raises or pay scale adjustments.

9. If an employee receives a less than satisfactory performance evaluation, as outlined in this Article, the employee may appeal the performance evaluation according to the following process:

- a) All performance evaluation appeals shall be submitted by the affected employee to the Chief of Police in writing within seven (7) calendar days from the date that the employee receives the evaluation.
- b) The Chief of Police shall render a written decision to the affected employee within seven (7) calendar days of the date the appeal was received by the Chief of Police.
- c) If the Chief of Police upholds the performance evaluation, the employee may submit such evaluation appeal to the City Manager. Such appeal must be filed within seven (7) calendar days of the date the Chief of Police rendered or should have rendered a written decision.
- d) The City Manager shall render a written decision to the affected employee within seven (7) calendar days of the date the employee filed the appeal with the City manager.
- e) If the appeal remains unresolved, the employee or his/her representative may file the appeal to the civil service commission. The commission shall hear the appeal at their next regular scheduled civil service meeting. The City of La Porte and the affected employee or his/her representative may present witnesses, evidence and other relevant information to the civil service commission. The civil service commission shall render a decision as to the validity of the performance evaluation and such decision shall be final and binding upon all parties.

- f) The time limitations described herein may be waived by mutual agreement in writing by the City of La Porte and the affected employee.
- g) It is the intent of all parties subject to this agreement that any aforementioned evaluation appeal be resolved at the lowest level possible.
10. Employees who have reached the last step of the wage scale and who have received a "satisfactory" performance evaluation of 3 or above shall be paid a lump sum of one thousand dollars (\$1,000.00) each year on the anniversary of appointment to their current rank. Employees who have reached the last step of the wage scale and who have received an "exceptional" evaluation (above a 4), shall be paid an additional one thousand dollar (\$1,000) bonus, for a total lump sum payment of two thousand dollars (\$2,000), on the anniversary of appointment to their current rank. As is the case with other exceptional employees receiving additional performance based wage step incentives, the additional bonus provided to employees who have already reached the last step of the wage scale will be available to the employees a maximum of once every other year.
11. To the extent that any of these provisions differ from Chapter 143 of the Texas Local Government Code, this Article supersedes and pre-empts those provisions as permitted by Chapter 142.067 of the Texas Local Government Code. This Article specifically pre-empts Sections 143.041(b) of the Texas Local Government Code.
12. The City and the Association agree that all provisions of the City of La Porte Emergency Pay Policy, as adopted by the La Porte City Council on July 23, 2012, shall apply to all officers covered under this Agreement.

Article IV

Incentive Pay

1. The City shall pay each employee holding a Masters Certificate granted by TCLEOSE the sum of \$150.00 per month. The City shall pay each employee holding an Advanced Certificate granted by TCLEOSE the sum of \$125.00 per month. The City shall pay each employee holding an Intermediate certificate granted by TCLEOSE the sum of \$100.00 per month.
2. The City shall pay each employee holding a Master's Degree obtained from an accredited university the sum of \$150.00 per month. The City shall pay each employee holding a Bachelor's Degree obtained from an accredited university the sum of \$125.00 per month. The City shall pay each employee holding an Associate Degree obtained from an accredited university the sum of \$100.00 per month.
3. In an effort to encourage Police Officers to continue their college education, effective with the signing of this agreement, Police Officers are entitled to receive both certificate and educational incentive pay, up to a maximum of three hundred (\$300.00) per month. Employees shall not be permitted to earn monthly incentive pay for more than one TCOLE certificate and/or for more than one college degree.
4. To ensure that records are accurate and incentive pay is issued in a timely manner, Police Officers are solely responsible for reporting and providing proper documentation to the Chief of Police or his/her designee to show that the Police Officer has completed training and/or education outside the Department. Police Officers are not entitled to retroactive incentive pay. Incentive pay shall begin at the beginning of the next pay period after the date on which the Police Officer provides proof of certification and/or receipt of a college degree in accordance with this Article.
5. To the extent that any of these provisions differ from Chapter 143 of the Texas Local Government Code, this Article supersedes and pre-empts those provisions as permitted by Chapter 142.067 of the Texas Local Government Code. Specifically, this Article pre-empts Section 143.044(b) and (c).

Article V

Education

1. In order to be eligible for voluntary transfer into a coveted position, as that term is defined in this Agreement, within the Police Department, all Officers hired after 13 July 2009 must have completed a minimum of 20 college hours from an accredited college or university.
2. Except as provided in Section 3 below, in order to be eligible to participate in promotional examinations for Sergeant or Lieutenant, Officers must have completed a minimum of 60 college hours from an accredited college or university or have a combination of a minimum of 20 college hours from an accredited college or university and 40 TCOLE training credits calculated at the rate of 20 training hours equal to 1 training credit, for a total of 60 hours.
3. The 60 hour college requirement established in Section 2 above shall be waived for officers wishing to take the promotional examination for Sergeant if the officer is able to provide appropriate evidence, namely a federal form 00214, showing that they honorably served four (4) or more full years in one or more branches of the U.S. military.
4. To the extent that any of these provisions differ from Chapter 143 of the Texas Local Government Code, this Article supersedes and pre-empts those provisions as permitted by Chapter 142.067 of the Texas Local Government Code. Specifically, this Article pre-empts Section 143.028(b), and 143.031.

Article VI

Promotion to the Ranks of Sergeant and Lieutenant

1. With the exception of the below provisions, promotions to the rank of Sergeant and Lieutenant shall be in accordance with applicable Civil Service Law as established in Texas Local Government Code Chapter 143. Each promotional candidate from the police department who receives a grade of at least 70 points on a promotional examination will be considered as having passed the examination.
2. Seniority points will only be added to the promotional candidate's score if the applicant scores 70 or more points on the written examination. Candidates eligible to receive seniority points will have 1 seniority point added to their test score for every full year they have served in their current classification (grade), up to a maximum of 10 seniority points. For example, Sergeants who take, and pass, the Lieutenant promotional exam will only receive seniority points for each full year they have served as a sergeant. Cut off for seniority point calculations will be the date of the candidate's written examination.
3. In order to be eligible to take the Sergeant's test, officers and/or detectives must have served with the La Porte Police Department at least four (4) continuous years as a commissioned peace officer preceding the date of such promotional examination.
4. In addition to any seniority points a promotional candidate is eligible to receive, promotional candidates who successfully pass a Sergeant or Lieutenant promotional examination and who have participated in the La Porte Police Department's Leadership Mentoring Program for at least six (6) full months prior to the date of the promotional examination, shall have an additional 2.5 points added to their written exam score.
5. Police Officers promoted to Sergeant and Lieutenant must serve a probationary period within the new classification. The probationary period

is completed following six (6) months of continuous service in the new classification. Should a police officer fail to successfully complete their probationary period, they shall be returned to the rank they held immediately prior to the promotion.

6. In accordance with applicable Civil Service Law as established in Texas Local Government Code Chapter 143, Section 143.035, an alternative promotional testing system may be used. The City and the Association agree that an alternative promotional testing system will only be used if it is

(1) proposed by the Chief prior to a promotional test notification from the City AND (2) accepted by a majority of the candidates for promotion who submit the required letter of interest in participating in the promotional process. This process must be repeated with each promotional test the City intends to administer and shall not carry over from one promotional test to the other. If an Assessment Center is selected as part of the alternative testing system, it shall be administered following the below procedures:

- A) Positions in the rank of Sergeants and Lieutenants shall be filled from an eligibility list created by a promotional procedure consisting of a written examination and an Assessment Center conducted in accordance with this Agreement.
- B) Officers who pass the Sergeant's or Lieutenant's written promotional examination with a score of seventy percent (70%) or higher will proceed to the next step of the examination process, which is an Assessment Center.
- C) The score for the Written Examination and the Assessment Center shall be between 0 and 100 points each. As such, after the Assessment Center scoring has been completed for the rank of Sergeant and/or Lieutenant, the eligibility list shall be calculated as follows:

- 1. Written examination 0- 100 points
- 2. Assessment Center 0- 100 points
- 3. Seniority Points 2 – 10 points
- 4. LMP Participation Points 0 – 2.5 points

- D) Prior to the written test being administered, the Human Resources Department will generate a list of potential assessment center consultants. The Chief shall then appoint two (2) members to serve on an Assessment Center Review Committee (ACRC). The ASSOCIATION shall also select two (2) individuals to serve on the ACRC. ACRC members must not be officers who are participating in any of the current year's promotional examinations. Consulting with the Chief and other supervisors/managers of the department, ACRC members shall establish assessment criteria based on job content and responsibility. Once assessment criteria have been established, the ACRC shall meet to consider the list of consultants provided by the Human Resources Department and select the Assessment Center Consultant from the list (which may be subject to City purchasing policies and procedures).
- E) After the Assessment Center Consultant has been selected, the Consultant will orient the ACRC. The Consultant will collectively confer with both the Chief and the ACRC on the needs or issues affecting the design of the Assessment Center. Any input from the ASSOCIATION will be summarized by the ACRC and made available to anyone who requests it. The Consultant shall make all final decisions concerning the design and implementation of the Assessment Center.
- F) The Consultant designs the Assessment Center and also selects the assessors; however, all assessors must meet the following criteria:
1. Active duty or retired, sworn officers of similar rank to the one being assessed for promotion, or above, from cities with a population of 25,000 or greater;
 2. Shall not reside in La Porte or any city contiguous to La Porte;
 3. Shall not be related, by blood or marriage, to any candidates for promotion;
 4. Shall not personally know or be an acquaintance of any candidate for promotion;
 5. Shall have two (2) years of experience in the promoted or equivalent rank; and

6. Shall not be a current or former employee of the City of La Porte.

G) The assessors selected by the Consultant will assess the candidates for the rank. The assessors shall award up to one hundred (100) points to each candidate participating in the assessment center. The assessment sessions may be recorded, and candidates may review their own session by making an appointment with the Human Resources Department during normal business hours. Examination reviews will be conducted on the officer's off-duty time and copies of the videotapes will not be distributed. Except for specific violations of any of the aforementioned criteria, or as provided by law, assessment center scores shall be deemed final and are not subject to appeal.

Article VII

Physical Fitness

1. Officers hired after 13 July 2009, shall be required to pass an annual physical fitness assessment in order to be eligible for voluntary transfer to a coveted position, as defined in this Agreement, or to participate in promotional exams. The physical fitness assessment will be the same as the assessment required by the City of La Porte Civil Service Rule for Police applicants.
2. All Police Officers employed by the La Porte Police Department are encouraged to voluntarily participate in a quarterly physical fitness assessment. The physical fitness assessment will be the same as the assessment required by the City of La Porte Civil Service Rule for police applicants. Employees may, at their option, instead choose to voluntarily participate in the general City-employee wellness program.
3. Employees participating in Police Department's physical fitness program or the City's general employee wellness program shall not be paid for time spent preparing for assessments, personal conditioning, or engaging in any work-out related activities. When on-duty, police officers will, however, be allowed to participate in quarterly assessments during their work hours. Under no circumstances will participating Police Officers be eligible to simultaneously receive the cash bonus under both the general City- employee wellness program and the Police Department's physical fitness program.
4. All Police Officers who pass the physical fitness assessment will be authorized to wear a special "physical fitness award ribbon" on their uniform and will receive a physical fitness cash bonus of \$250.00 for each quarterly physical fitness assessment successfully passed to be paid at the end of the calendar year. At no time shall such fitness bonus exceed \$1000.00 annually.
5. To the extent that any of these provisions differ from Chapter 143 of the Texas Local Government Code, this Article supersedes and pre-empts those provisions as permitted by Chapter 142.067 of the Texas Local Government Code. Specifically, this Article pre-empts Section 143.044(d).

Article VIII

Compensatory Time

- 1 All sworn Police Officers shall be eligible to accumulate and accrue compensatory time at a rate of time and one-half the hours actually worked, up to a maximum of 40 hours. All compensatory time provisions of the Fair Labor Standards Act shall be adhered to by the City of La Porte and the Police Officers covered under this agreement.
- 2 As with other forms of leave, compensatory time may be accrued and taken only after the employee submits a written request and receives approval by his or her immediate supervisor. Compensatory time off shall be granted at the sole discretion of the Department, and will not be granted if overtime is required to achieve minimum staffing levels. The City may opt to pay employees for accrued compensatory time at any time.

Article IX

Association Leave

1. Except as provided for under Section 2 below, during the term of this Agreement, each year on or before December 31 the City shall assess from each Association member two (2) hours of accrued vacation leave time to be placed in an Association business leave pool. Association members, with the approval of the Association Board of Directors, shall be allowed to debit the pool during the calendar year when attending to Association related business, including, but not limited to, time spent representing the Association at meetings or events; representing members at disciplinary hearings, grievances or on other job-related matters; attending seminars or training programs; and attending to business associated with the "meet and confer" process.
2. Any Association member shall have the option to opt out of participating in the Association Leave Pool and avoid the aforementioned vacation leave assessment by notifying the Human Resources Department prior to January 1st of any applicable year, during the term of this Agreement. Such notice shall be in writing and the Human Resources Department shall thereafter send a copy of it said notice to the Association within thirty (30) days. Should any officer willingly and voluntarily give or provide additional minutes of credited leave time to the pool, he/she may do so by delivering by proving written notice to the Human Resources Department, who then will furnish a copy of same to the Association within thirty (30) days. The Human Resources Department shall provide the Association with a statement as to the leave balance in this pool every ninety (90) days.
3. The Association shall request Association Leave off for eligible members at least forty-eight (48) hours in advance, by delivering written notice to the Chief. Association Leave shall be viewed the same as requests for regular vacation and will be subject to supervisory approval, with staffing and other considerations taken into account. As with all other forms of leave, if the Chief of Police deems it necessary, he/she may order Association members on Association Leave to immediately report back to work.

- 4 The pool shall be cumulative during the term of this Agreement. The City is only required to make an individual assessment from Association members who have at least two (2) hours of accrued vacation time at the time the City makes the assessment.
- 5 The Chief will consider requests for additional time off without pay to attend to other Association business. Any such request shall be in writing and delivered to the Chief at least forty-eight (48) hours in advance of the requested leave.

Article X

Grievance Procedure

- 1) The purpose of this grievance procedure is to establish effective machinery for the fair, expeditious and orderly adjustment of grievances. A grievance involving the interpretation, application or enforcement of a specific clause of this agreement by one or more employees shall be brought to the attention of the Association Grievance Committee in writing within fifteen

(15) calendar days of when the employee knew or should have known of the occurrence or occurrences that gave rise to the grievance. The Association may bring a grievance that is an on-going practice by the City which affects the bargaining unit as a whole "Class Action" within fifteen

(15) calendar days of when the Association knew or should have known of the grievance.

Within fifteen (15) calendar days of the receipt of the grievance, the grievance committee shall determine if a valid grievance exists. If, in the opinion of the Association Grievance Committee, no grievance exists or the Association denies the grievance, the Association Grievance Committee shall notify the employee. If the Association Grievance Committee accepts the grievance, the Association shall, within seven (7) calendar days of accepting the grievance, present written notice of the grievance to the Chief of Police.

- 2) The Chief of Police shall render a written decision to the Association Grievance Committee within seven (7) calendar days of the date the Association Grievance Committee filed such grievance with the Chief of Police.
- 3) If the grievance remains unresolved, the Association Grievance Committee or its representative may submit said grievance to the office of the City Manager. Said grievance, if submitted, must be filed within seven (7)

calendar days of the date the Chief of Police rendered or should have rendered a written decision.

- 4) The City Manager shall render a written decision within seven (7) calendar days of the date the Association Grievance Committee filed said grievance with the City Manager.
- 5) If the grievance remains unresolved, the Association Grievance Committee or its representative may request that the grievance be submitted for grievance mediation through an independent third-party such as the Federal Mediation and Conciliation Services (FMCS). The parties hereto agree that any fees and expenses associated with mediation shall be shared equally by the submitting Police Officer and by the City. The costs of a witness are paid by the party who calls the witness. The costs of an attorney are paid by the party that retains the attorney's services.
- 6) If the grievance remains unresolved following mediation, the Association Grievance Committee or its representatives may request that the grievance be submitted to arbitration, said request must be submitted in writing to the office of the City manager within seven (7) calendar days from the date an official impasse is declared relating to mediation.
- 7) Either party may request the Federal Mediation and Conciliation Services (FMCS) or American Arbitration Association (AAA) to provide a list of arbitrators in accordance with its selection rules. Either party shall have the right to reject the list submitted by FMCS or AAA. In that event, the FMCS or AAA will be requested to submit another list. The Parties shall select an arbitrator from the list. The parties, by mutual agreement, may select to use AAA expedited rules.
 - A) The powers of the arbitrator shall be limited as follows:
 - 1) He shall have no power to add, to subtract from, or modify any of the terms of this agreement.

- 2) The arbitrator shall deal only with the grievances that occasioned the arbitrator's appointment.
 - 3) The decision of the arbitrator, if within the scope of the arbitrator's authority, shall be final and binding upon the parties.
 - 4) The arbitrator shall be empowered to determine whether an issue is subject to arbitration pursuant to this agreement.
- 8) The parties hereto agree that the Arbitrator's fees and expenses are shared equally by the appealing Police Officer and by the City. The costs of a witness are paid by the party who calls the witness. The costs of an attorney are paid by the party that retains the attorney's services.
- 9) A grievance not filed within any of the time limitations specified herein shall not be considered timely and shall be void. The time limitations described herein may be waived by mutual agreement in writing by the Association Grievance Committee and the appropriate management official.

Article XI

Duration

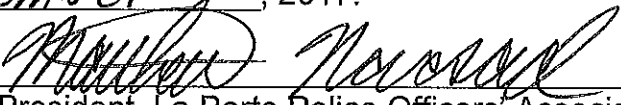
- 1) The provisions covered under this agreement will be effective upon ratification by the La Porte Police Officers' Association and approval by the La Porte City Council, in accordance with Chapter 142 of the Texas Local Government Code. This Agreement shall expire at midnight September 30, 2021. In the event that a new Agreement has not been reached by that date, the parties may mutually agree to extend this Agreement.

- 2) The City of La Porte and the La Porte Police Officers' Association shall begin the "meet and confer" process no later than May 1, 2018, unless the parties mutually agree in writing to defer the start of the process to a later date.


The foregoing instrument has been negotiated, reviewed and approved by each of the signatories indicated below:

LA PORTE POLICE OFFICERS' ASSOCIATION

Ratified by La Porte Police Officers' Association Membership on 11th day of September, 2017.


By: 
President, La Porte Police Officers' Association

Attest: 
Secretary, La Porte Police Officers' Association

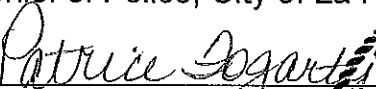
Treasurer 

CITY OF LA PORTE, TEXAS

Approved by La Porte City Council on 11th day of September 2017.

By: 
City Manager, City of La Porte, Texas

By: 
Chief of Police, City of La Porte, Texas

Attest: 
City Secretary, City of La Porte, Texas



Attachment A - Pay rate schedule 2017-2018

Police Officer	CS1	CS1-0	CS1-1	CS1-2	CS1-3	CS1-4	CS1-5	CS1-6	CS1-7	CS1-8	CS1-9	CS1-10	CS1-11	CS1-12	CS1-15	CS1-20
		0	1	2	3	4	5	6	7	8	9	10	11	12	15	20
		Hourly rate	25.39	26.18	26.97	27.76	28.55	29.34	30.13	30.92	31.71	32.50	33.29	34.08	34.83	35.58

Sergeant	CS2	CS2-0	CS2-1	CS2-2	CS2-3	CS2-4	CS2-5	CS2-6
		0	1	2	3	4	5	6
	Hourly rate	36.29	37.25	38.21	39.17	40.13	41.09	42.05

Lieutenant	CS3	CS3-0	CS3-1	CS3-2	CS3-3
		0	1	2	3
	Hourly rate	43.31	44.89	46.47	48.04

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Attachment A
Civil Service Median Salary Schedule FY 2019 (October 1, 2018 - September 30, 2019)

Police Officer	CS1	CS1-0	CS1-1	CS1-2	CS1-3	CS1-4	CS1-5	CS1-6	CS1-7	CS1-8	CS1-9	CS1-10	CS1-11	CS1-12	CS1-15	CS1-20
		0	1	2	3	4	5	6	7	8	9	10	11	12	15	20
		26.45	27.28	28.10	28.93	29.76	30.59	31.41	32.24	33.07	33.90	34.72	35.55	36.38	37.13	37.88

Sergeant	CS2	CS2-0	CS2-1	CS2-2	CS2-3	CS2-4	CS2-5	CS2-6
		0	1	2	3	4	5	6
		37.47	38.45	39.43	40.41	41.38	42.36	43.36

Lieutenant	CS3	CS3-0	CS3-1	CS3-2	CS3-3
		0	1	2	3
		44.65	46.25	47.84	49.43

REQUEST FOR CITY COUNCIL AGENDA ITEM

Agenda Date Requested: <u>July 9, 2018</u>
Requested By: <u>Lorenzo Wingate</u>
Department: <u>Public Works</u>
Report: _____ Resolution: _____ Ordinance: _____

<u>Budget</u>
Source of Funds: _____
Account Number: _____
Amount Budgeted: _____
Amount Requested: _____
Budgeted Item: YES NO

Exhibit: Harris County 2015 MOD Amendments 1 and 2

Exhibit: Public Hearing Notice

SUMMARY & RECOMMENDATION

On June 17, 2016, the U.S. Department of Housing and Urban Development (HUD) allocated \$22 million in Community Development Block Grant Disaster Recovery (CDBG-DR) Program funds to the State of Texas to operate the CDBG-DR Program related to relief, long-term recovery, restoration of infrastructure and housing, and economic revitalization in the most impacted and distressed areas (including Harris County) resulting from Presidentially declared Federal Emergency Management Agency (FEMA) 4223-DR-TX (2015 Memorial Day) and FEMA 4245-DR-TX (2015 Halloween) disasters.

On November 15, 2016 County Commissioners Court approved the Method of Distribution developed by the Harris County Community Services Department, recommending allocations for housing and non-housing CDBG-DR. The Method of Distribution (MOD) was submitted to the Texas General Land Office (GLO) on November 16, 2016, and has been approved by the GLO.

The GLO-CDR has allocated \$325,775.30 to the City of La Porte through Harris County's initial MOD and MOD Amendments No. 1 and 2 from the 2015 Floods CDBG-DR funds. Now, to access the funding allocated to the City of La Porte, GLO requires submission of a Non-Housing Project Application detailing the City's proposed non-housing projects to repair or mitigate damage that occurred during the Presidentially declared Federal Emergency Management Agency (FEMA) 4223-DR-TX (2015 Memorial Day) and FEMA 4245-DR-TX (2015 Halloween) disasters.

Additionally, to qualify an application activity under the CDBG-DR requirements, the project must principally benefit those of low and moderate income areas, and consist of projects that fail to function during the declaration period.

CDBG-DR applicants and funded entities are required to carry out citizen participation procedures in accordance with the Citizen Participation Plan as described in this 2015 Texas Floods Action Plan.

Benefits:

Drainage improvements within the Northside Neighborhood, within the Little Cedar Bayou Watershed are intended for this allocation.

The storm water collection system from the 6th street area is ultimately conveyed to an outfall point within the bayou on the west side of SH 146. As part of an initial phase of drainage improvements for this area, utilization of the allocated grant funding would allow for drainage improvements to be made at the most downstream end of the storm water collection system to provide additional conveyance capacity within the system.

This Public Hearing may reveal other potential projects desired by the public for this allocation.

Liabilities:

6th Street, from W. Madison Street to W. Main Street., has significant ponding in storm events as low as 5-year event; the storm sewer collection system becomes surcharged and flows backward/upstream and bubble out of the inlets along 6th Street. The area is very flat with no room for the water to leave the street, causing ponding in the street and the adjacent yards until water levels within the collection systems recede and there is volume available for the ponded water to gravity drain dry.

Would not fulfill citizen participation requirement necessary to submit CDBG-DR application by not having public hearing, thus not allowing access to funding allocation.

Operating Costs:

No Impact.

Action Required by Council:

Conduct public hearing to receive public comment(s) on the Northside Neighborhood Drainage Improvement Project and associated Texas GLO CDBG-DR 2015 Floods and Storms (DR-4223 and DR-4245) allocation of \$325,775.30.

Approved for City Council Agenda

Corby D. Alexander

Date

**Harris County Community Services Department
Executive Summary**

Table 1: 2015 CDBG-DR Funding and Amendments to the Method of Distribution

Jurisdiction	Original Non-Housing Allocation	1 st Amendment Non-Housing Allocation	2 nd Amendment Non-Housing Allocation	Original Housing Allocation	1 st Amendment Housing Allocation	2 nd Amendment Housing Allocation
Harris County	\$706,546.83	\$812,023.99	\$812,023.99			
Harris County Flood Control District	\$0.00	\$0.00	\$1,054,977.00	\$882,066.00	\$882,066.00	\$1,378,527.00
City of Pasadena	\$421,616.64	\$484,557.87	\$484,557.87			
City of La Porte	\$283,459.00	\$325,775.30	\$325,775.30			
City of Deer Park	\$243,472.41	\$0.00	\$0.00			
City of Bellaire	\$219,296.12	\$252,033.84	\$252,033.84			
TOTAL	\$1,874,391.00	\$1,874,391.00	\$2,929,368.00	\$882,066.00	\$882,066.00	\$1,378,527.00

THE STATE OF TEXAS

COUNTY OF HARRIS

CITY OF LA PORTE

PUBLIC HEARING

TEXAS GENERAL LAND OFFICE (TXGLO) COMMUNITY DEVELOPMENT BLOCK GRANT
DISASTER RECOVERY (CDBG-DR) PROGRAM

The City of La Porte will hold a public hearing at 6:00 p.m. on July 9, 2018, at the City Hall Council Chambers, 604 W Fairmont Parkway, La Porte, TX 77571, regarding participation in the Texas General Land Office's Community Development Block Grant Disaster Recovery (CDBG-DR) Non-Housing Program. Citizens are encouraged to attend this public hearing to discuss the citizen participation plan, local housing, non-housing, and community development needs, available funding, eligible activities, past use of funds, development of GLO CDBG-DR application(s), and local efforts to affirmatively further fair housing. Public comments will be accepted in the Office of the City Secretary at the above address from today until July 13, 2018.

Citizens wishing to address the Council, pro or con, during the Public Hearing, will be required to sign in before the meeting is convened.

CITY OF LA PORTE

Patrice Fogarty
City Secretary

THIS FACILITY HAS DISABILITY ACCOMMODATIONS AVAILABLE. REQUESTS FOR ACCOMMODATIONS FOR INTERPRETIVE SERVICES AT MEETINGS SHOULD BE MADE 48 HOURS PRIOR TO THE MEETING. PLEASE CONTACT THE CITY SECRETARY'S OFFICE AT 281-471-5020 OR TDD LINE 281-471-5030 FOR FURTHER INFORMATION.

REQUEST FOR CITY COUNCIL AGENDA ITEM

Agenda Date Requested:	<u>July 9, 2018</u>
Requested By:	<u>Lorenzo Wingate</u>
Department:	<u>Public Works</u>
Report:	<u>Resolution: <u>X</u> Ordinance:</u>

<u>Budget</u>	
Source of Funds:	<u>N/A</u>
Account Number:	<u>N/A</u>
Amount Budgeted:	<u>N/A</u>
Amount Requested:	<u>N/A</u>
Budgeted Item:	YES NO

Exhibit: Resolution Authorizing Application Submission

Exhibit: Harris County 2015 MOD Amendments 1 and 2

SUMMARY & RECOMMENDATION

On June 17, 2016, the U.S. Department of Housing and Urban Development (HUD) allocated \$22 million in Community Development Block Grant Disaster Recovery (CDBG-DR) Program funds to the State of Texas to operate the CDBG-DR Program related to relief, long-term recovery, restoration of infrastructure and housing, and economic revitalization in the most impacted and distressed areas (including Harris County) resulting from Presidentially declared Federal Emergency Management Agency (FEMA) 4223-DR-TX (2015 Memorial Day) and FEMA 4245-DR-TX (2015 Halloween) disasters.

On November 15, 2016 County Commissioners Court approved the Method of Distribution developed by the Harris County Community Services Department, recommending allocations for housing and non-housing CDBG-DR. The Method of Distribution (MOD) was submitted to the Texas General Land Office (GLO) on November 16, 2016, and has been approved by the GLO.

The GLO-CDR has allocated \$325,775.30 to the City of La Porte through Harris County's initial MOD and MOD Amendments No. 1 and 2 from the 2015 Floods CDBG-DR funds. Now, to access the funding allocated to the City of La Porte, GLO requires submission of a Non-Housing Project Application detailing the City's proposed non-housing projects to repair or mitigate damage that occurred during the Presidentially declared Federal Emergency Management Agency (FEMA) 4223-DR-TX (2015 Memorial Day) and FEMA 4245-DR-TX (2015 Halloween) disasters.

Grant recipients using Texas GLO CDBG-DR funding for housing or non-housing projects are required to provide proof of a resolution authorizing application submission.

Benefits:

Drainage improvements within the Northside Neighborhood, within the Little Cedar Bayou Watershed are intended for this allocation.

The storm water collection system from the 6th street area is ultimately conveyed to an outfall point within the bayou on the west side of SH 146. As part of an initial phase of drainage improvements for this area, utilization

of the allocated grant funding would allow for drainage improvements to be made at the most downstream end of the storm water collection system to provide additional conveyance capacity within the system.

Fulfills application requirement(s) of providing a resolution authorizing application submission.

Liabilities:

6th Street, from W. Madison Street to W. Main Street., has significant ponding in storm events as low as 5-year event; the storm sewer collection system becomes surcharged and flows backward/upstream and bubble out of the inlets along 6th Street. The area is very flat with no room for the water to leave the street, causing ponding in the street and the adjacent yards until water levels within the collection systems recede and there is volume available for the ponded water to gravity drain dry.

Lack of resolution would not fulfill GLO CDBG-DR application submittal requirement(s), causing the application to be rendered deficient, leading to potential failure to secure funding.

Operating Costs:

No Impact.

Action Required by Council:

Consider approval of Resolution authorizing the submittal of an application to the Texas General Land Office for the 2015 Floods and Storms (DR-4223 and DR-4245) Community Development Block Grant Disaster Recovery Program.

Approved for City Council Agenda

Corby D. Alexander

Date

RESOLUTION NO. 2018 - _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA PORTE, TEXAS, AUTHORIZING THE SUBMITTAL OF AN APPLICATION TO TEXAS GENERAL LAND OFFICE FOR THE 2015 COMMUNITY DEVELOPMENT BLOCK GRANT DISASTER RECOVERY (GLO CDBG-DR) PROGRAM; FINDING COMPLIANCE WITH THE OPEN MEETINGS LAWS; AND PROVIDING AN EFFECTIVE DATE HEREOF.

WHEREAS, participation in the 2015 GLO CDBG-DR Program requires the City to provide proof of a resolution authorizing application submission;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LA PORTE:

Section 1. The City Council approves this resolution, authorizing the submittal of an application to the Texas General Land Office for the 2015 Floods and Storms (DR-4223 and DR-4245) Community Development Block Grant Disaster Recovery Program.

Section 2. The City Council officially finds, determines, recites and declares that a sufficient written notice of the date, hour, place and subject of this meeting of the City Council is posted at a place convenient to the public at the City Hall of the City for the time required by law preceding this meeting, as required by Chapter 551, Texas Government Code; and that this meeting has been open to the public as required by law at all times during which this Resolution and the subject matter thereof has been discussed, considered and formally acted upon. The City Council further ratifies, approves and confirms such written notice and the contents and posting thereof.

Section 3. This Resolution shall be effective upon its passage and approval.

PASSED AND APPROVED this the _____ day of _____, 2018 .

CITY OF LA PORTE

By: _____
Louis R. Rigby
Mayor

ATTEST:

Patrice Fogarty
City Secretary

**Harris County Community Services Department
Executive Summary**

Table 1: 2015 CDBG-DR Funding and Amendments to the Method of Distribution

Jurisdiction	Original Non-Housing Allocation	1 st Amendment Non-Housing Allocation	2 nd Amendment Non-Housing Allocation	Original Housing Allocation	1 st Amendment Housing Allocation	2 nd Amendment Housing Allocation
Harris County	\$706,546.83	\$812,023.99	\$812,023.99			
Harris County Flood Control District	\$0.00	\$0.00	\$1,054,977.00	\$882,066.00	\$882,066.00	\$1,378,527.00
City of Pasadena	\$421,616.64	\$484,557.87	\$484,557.87			
City of La Porte	\$283,459.00	\$325,775.30	\$325,775.30			
City of Deer Park	\$243,472.41	\$0.00	\$0.00			
City of Bellaire	\$219,296.12	\$252,033.84	\$252,033.84			
TOTAL	\$1,874,391.00	\$1,874,391.00	\$2,929,368.00	\$882,066.00	\$882,066.00	\$1,378,527.00

REQUEST FOR CITY COUNCIL AGENDA ITEM

Agenda Date Requested: <u>July 9, 2018</u>
Requested By: <u>Lorenzo Wingate</u>
Department: <u>Public Works</u>
Report: <u> </u> Resolution: <u>X</u> Ordinance: <u> </u>

Exhibit: Resolution Authorizing Application Submission

<u>Budget</u>
Source of Funds: <u>N/A</u>
Account Number: <u>N/A</u>
Amount Budgeted: <u>N/A</u>
Amount Requested: <u>N/A</u>
Budgeted Item: YES NO

SUMMARY & RECOMMENDATION

In consideration of the significant and deadly flooding events in 2015 and 2016, as well as Hurricane Harvey in 2017, the Texas Water Development Board (TWDB) is placing a high priority on projects with the merit and ability to protect the health, public safety, and economic prosperity of Texans residing in declared disaster areas dating from May 2015 to September 2017 to include all declared areas from the seven federally declared disasters as well state declared disasters.

The TWDB has posted a request for applications (RFA) for \$1.8 million in grants for flood protection planning, flood early warning systems, and flood response strategies. Grant funds cannot be utilized towards construction related services. The purpose of this request for applications is to provide assistance to political subdivisions to implement prevention and/or corrective measures for reducing loss of life and property due to flood. These measures take a variety of forms and may include the development of flood protection plans; the planning for, installation of, or enhancement of flood early warning systems; or the development of strategies to prepare for and respond to flood events. The TWDB expects that these measures will complement and enhance existing efforts related to providing floodplain management resources to local entities, providing weather and streamflow data, or developing near real-time and online flood information. Anticipated projects that may meet the eligibility requirements are: 1) Battleground Estates Phase II Study; 2) Little Cedar Bayou Phase III Analysis; 3) Bob's Gully Analysis; 4) Citywide Drainage Model

It is the intent of this program to award at least 50% of the available funding to communities with less than 50,000 in population. Fifty percent of the total cost of the project may be provided to applicants, thus the cost sharing responsibilities are 50% TWDB, 50% local funds. Application are due by 2:00 PM on Jul 11, 2018. The anticipated award date is September 2018. Awarded projects must be completed no later than August 31, 2021.

Grant recipients using TWDB FY 2018-2019 Flood Protection Grant funding are required to provide proof of a resolution indicating the entity's representative is authorized to apply for a grant from the Texas Water Development Board; granting authority for the entity to enter into a contract with the Texas Water Development Board; and stating the intent to commit local matching funds in cash and/or in-kind services.

Benefits:

Provides opportunity to develop flood protection/planning tools such as inundation maps; integrated 2D storm sewer system modeling; early warning systems; outreach materials; flood protection plans; and flood response strategies, which can all be incorporated into the City's Community Rating System (CRS) Program to earn additional credits, effectively improving the City's CRS Rating and allowing for increased discounts on flood insurance premiums for flood policy holders. These planning tools also improve the ability to prepare for the threat of flood, as well as respond to the impacts of flooding.

Fulfills application requirement(s) of providing a resolution authorizing application submission.

Liabilities:

Access to aforementioned flood protection/planning tools would be delayed, as these items would be projected into future budget(s), at full cost to the City.

Lack of resolution would not fulfill TWDB FY 2018-2019 Flood Protection Grant application submittal requirement(s), causing the application to be rendered deficient, leading to potential failure to secure funding.

Operating Costs:

Anticipated total cost for the 4 aforementioned projects is approximately \$500,000; actual anticipated cost(s) to the City would be approximately \$250,000, given the 50/50 cost sharing responsibilities. Costs associated with flood protection/planning could be incorporated into the FY19 and/or the FY20 budget(s).

Action Required by Council:

Consider approval of Resolution authorizing the submittal of an application to the Texas Water Development Board, granting authority to enter into a contract with the Texas Water Development Board, and committing to matching funds in cash and/or in-kind services for the FY 2018-2019 Flood Protection Grant.

Approved for City Council Agenda

Corby D. Alexander

Date

RESOLUTION NO. 2018 - _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA PORTE, TEXAS, AUTHORIZING THE SUBMITTAL OF AN APPLICATION TO TEXAS WATER DEVELOPMENT BOARD, GRANTING AUTHORITY TO ENTER INTO A CONTRACT WITH THE TEXAS WATER DEVELOPMENT BOARD, AND COMMITTING TO MATCHING FUNDS IN CASH AND/OR IN-KIND SERVICES FOR THE FY 2018-2019 FLOOD PROTECTION GRANT.; FINDING COMPLIANCE WITH THE OPEN MEETINGS LAWS; AND PROVIDING AN EFFECTIVE DATE HEREOF.

WHEREAS, participation in the Texas Water Development Board FY 2018-2019 Flood Protection Grants program requires the City to provide proof of a resolution authorizing application submission; and

WHEREAS, participation in the Texas Water Development Board FY 2018-2019 Flood Protection Grants program requires the City to provide proof of a resolution granting authority for the entity to enter into a contract with the Texas Water Development Board; and

WHEREAS, participation in the Texas Water Development Board FY 2018-2019 Flood Protection Grants program requires the City to provide proof of a resolution stating the intent to commit local matching funds in cash and/or in-kind services.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LA PORTE:

Section 1. The City Council approves this resolution, authorizing the submittal of an application to the Texas Water Development Board, granting authority to enter into a contract with the Texas Water Development Board, and committing to matching funds in cash and/or in-kind services for the FY 2018-2019 Flood Protection Grant.

Section 2. The City Council officially finds, determines, recites and declares that a sufficient written notice of the date, hour, place and subject of this meeting of the City Council is posted at a place convenient to the public at the City Hall of the City for the time required by law preceding this meeting, as required by Chapter 551, Texas Government Code; and that this meeting has been open to the public as required by law at all times during which this Resolution and the subject matter thereof has been discussed, considered and formally acted upon. The City Council further ratifies, approves and confirms such written notice and the contents and posting thereof.

Section 3. This Resolution shall be effective upon its passage and approval.

PASSED AND APPROVED this the _____ day of _____, 2018 .

CITY OF LA PORTE

By: _____
Louis R. Rigby
Mayor

ATTEST:

Patrice Fogarty
City Secretary

ORDINANCE NO. _____

AN ORDINANCE DECLARING THE BUILDING LOCATED AT LOT 14, BLOCK 40, OF FAIRMONT PARK WEST, SECTION FOUR (4), A SUBDIVISION IN HARRIS COUNTY, TEXAS, MORE COMMONLY KNOWN AS 9906 ROCKY HOLLOW RD. TO BE IN FACT A NUISANCE, SUCH BUILDING BEING IDENTIFIED AS ONE PRIMARY RESIDENTIAL DWELLING BUT INCLUDING ALL SLABS, PARKING BAYS AND DRIVEWAYS, AND ORDERING SUCH BUILDING CONDEMNED; FINDING THAT ESTATE OF WENDELL KEITH ADAMS IS THE RECORD OWNER OF SAID PROPERTY; ORDERING THE SAID OWNER TO ENTIRELY REMOVE OR TEAR DOWN SUCH BUILDING; ORDERING THE SAID OWNER TO COMMENCE SAID REMOVAL OR DEMOLITION WITHIN TEN (10) DAYS FROM THE EFFECTIVE DATE OF THIS ORDINANCE; AND TO COMPLETE SAID REMOVAL OR DEMOLITION WITHIN FORTY-FIVE (45) DAYS FROM THE EFFECTIVE DATE OF THIS ORDINANCE; ORDERING THE DANGEROUS BUILDING INSPECTION BOARD TO PLACE A NOTICE ON SAID BUILDING; ORDERING THE CITY SECRETARY TO FORWARD A COPY OF THIS ORDINANCE TO SAID OWNER; PROVIDING FOR THE REMOVAL OF SAID BUILDING BY THE CITY OF LA PORTE IF NOT REMOVED BY SAID OWNER IN THE MANNER PROVIDED HEREIN; PROVIDING AN EFFECTIVE DATE HEREOF; AND FINDING COMPLIANCE WITH THE OPEN MEETINGS LAW.

WHEREAS, the City Council of the City of La Porte, passed and approved Section 82-472 of the Code of Ordinances, creating a Dangerous Building Inspection Board (*the Board*) to be composed of the Building Official or his duly authorized representative, the Fire Chief or his duly authorized representative, the Fire Marshal or his duly authorized representative; and

WHEREAS, Section 82-474 (a) provides that:

Whenever it shall come to the attention of the Board or any member thereof, by reason of the carrying out of the necessary duties of such member, or by reason of a complaint of any citizen of the City or of the City Council, that a dangerous building exists, the Board shall make a thorough inspection of such building(s); and

WHEREAS, Section 82-474 (e) provides that:

After the inspection provided for in this Section has been made, with or without the aid of experts, the Board shall report its conclusion in writing to each of the members of the City Council and to the City Attorney. Such report shall state the circumstances and the condition of the building(s) upon which such conclusion was based. The report shall be filed in all cases no matter what conclusion is stated by the Board; and

WHEREAS, it has heretofore come to the attention of the Board that one primary residential dwelling situated at LOT 14, BLOCK 40, OF FAIRMONT PARK WEST, SECTION FOUR (4) A SUBDIVISION IN

HARRIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 284, PAGE 93 OF THE MAP RECORDS OF HARRIS COUNTY, TEXAS, which is more commonly known as 9906 ROCKY HOLLOW RD., Harris County, Texas, has become dangerous or substandard and thereby a public nuisance, as established in Section 82-473 of the Code of Ordinances of the City of La Porte; and

WHEREAS, said Board has heretofore made and filed its written report, dated MARCH 29, 2018 finding said building to be in fact a dangerous building;

WHEREAS, City Council received such report, and ordered notice to the record owner and lienholders of said property that a hearing as provided in Section 82-477 of said Ordinance would be held at 6:00 PM on JUNE 11, 2018, at 604 W. Fairmont Parkway, at the Council Chambers, City Hall, City of La Porte, Texas, at which time the Council would hear further evidence for and against the conclusions of the Board;

WHEREAS, the City of La Porte has heretofore served notice upon said owner by posting a notice on the subject property at 9906 ROCKY HOLLOW RD. on or about MAY 23, 2018; and by registered mail, return receipt requested, which notice was shown by USPS as delivered to his last known address of 16297 Dockbar Court, Friendswood, Texas 77546, on or about MAY 26 , 2018 (RETURNED); a date more than ten (10) days before the date set for the public hearing; as required by law, such notice included a statement that that the owner was required to submit at the public hearing proof of the scope of work that may be required to bring the structure into compliance and the time it would take to reasonably perform the work; furthermore, notice of the aforementioned public hearing date was published in the Bay Area Observer on MAY 31, 2018 and JUNE 7, 2018;

WHEREAS, the City of La Porte has additionally served notice upon James B. Nutter and Company, lienholder against the subject property pursuant to Deed of Trust dated March 1, 2014 and recorded under Harris County Clerk File No. T572069, by registered mail, return receipt requested, which notice was shown by USPS as delivered to said lienholder on or about MAY 29, 2018, at its last known address of 4153 Broadway, Kansas City, Missouri 64111, a date more than ten (10) days before the date set for the public hearing; as required by law, such notice included a statement that that the lienholder was required to submit at the public hearing proof of the scope of work that may be required to bring the structure into compliance and the time it would take to reasonably perform the work;

WHEREAS, at said date, time, and place, City Council met in regular session to conduct such public hearing, at which time evidence was presented both for and against the conclusions of the Board, at which time the hearing was concluded;

WHEREAS, City Council, after due deliberation, and within fifteen (15) days after the termination of the JUNE 11, 2018 public hearing, is required to make its decision in writing and enter its order; and that the City Council, after the JUNE 11, 2018 public hearing, voted to table consideration of the matter to the June 25 City Council meeting, and at the June 25 City Council meeting voted to table consideration of the matter to the July 9, 2018 City Council meeting;

WHEREAS, after the conclusion of the said public hearing the City Council voted to table consideration of the matter to the June 25 City Council meeting, and at the June 25 City Council meeting voted to table consideration of the matter to the July 9, 2018 City Council meeting; that an order condemning the residential dwelling structure at 9906 Rocky Hollow Rd. was entered on JULY 9, 2018, a day which is within fifteen (15) days after the termination of the hearing and the June 25, 2018 and July 9, 2018 City Council dates; NOW THEREFORE:

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LA PORTE:

Section 1. This Ordinance contains the Findings of Fact, Conclusions of Law, and orders of the City Council of the City of La Porte, based upon the evidence presented at said hearing.

Section 2. Based on the evidence presented at said hearing, the City Council hereby adopts the attached report of the Board, in full, and incorporates such by reference herein as fully as though set out herein.

Section 3. The City Council hereby finds, determines and declares such building, being one primary residential dwelling, to be a public nuisance, and orders such building condemned.

Section 4. The City Council hereby finds, determines and declares that ESTATE OF WENDELL KEITH ADAMS is the record owner of the property on which the aforementioned primary residential dwelling is situated, and that as such record owner, the said ESTATE OF WENDELL KEITH ADAMS has been duly and legally notified of those proceedings; furthermore, the City Council hereby finds, determines and declares that James B. Nutter and Company is the sole lienholder against the property pursuant to Deed of Trust dated March 1, 2014 and recorded under Harris County Clerk File No. T572069, and that the said James B. Nutter and Company has been duly and legally notified of those proceedings.

Section 5. The City Council hereby orders the said ESTATE OF WENDELL KEITH ADAMS to entirely remove or demolish such building, including all slabs, parking bays and driveways, and further orders the said ESTATE OF WENDELL KEITH ADAMS to commence such removal within ten (10) days from the effective date of this Ordinance, and to complete said removal or demolition within forty-five (45) days from the effective date of this ordinance.

Section 6. The City Council hereby orders the Board of the City of La Porte to cause a notice of the dangerous, unsanitary condition of the buildings to be affixed in one or more conspicuous places on the exterior of the building, which notice or notices shall not be removed or defaced by any person, under penalty of law.

Section 7. The City Council hereby orders the City Secretary to forward a certified copy of this Ordinance, to the record owner of said property and to any and all lienholders or mortgagees, by registered mail, return receipt requested; file a copy of this Ordinance in the office of the City Secretary; and, publish in the official newspaper of the city a notice containing: 1) the street address or legal description of the property, 2) the date of the public hearing, 3) a brief statement indicating the results of the hearing, and 4) instructions stating where a complete copy of this Ordinance may be obtained.

Section 8. Should the said ESTATE OF WENDELL KEITH ADAMS not comply with the orders contained in this Ordinance relating to the removal or demolition of such building including all slabs, parking bays and driveways within forty-five (45) days after hereof, then the City of La Porte shall enter upon the said premises with such assistance as it may deem necessary, and cause the said building to be removed or demolished without delay, and the expenses of such procedure shall be charged against the said record owner of said property, and shall thereupon become a valid and enforceable personal obligation of said owner of such premises, and the

said City shall carefully compute the cost of such removal or demolition, which cost shall be hereafter assessed against the land occupied by such buildings, and made lien thereon.

Section 9. The City Council officially finds, determines, and recites and declares that a sufficient written notice of the date, hour, place and subject of this meeting of the City Council was posted at a place convenient to the public at the City Hall of the City for the time required by law preceding this meeting, as required by the Open Meetings Law, Chapter 551, Texas Government Code; and that this meeting has been open to the public as required by law at all times during which this ordinance and the subject matter thereof has been discussed, considered and formally acted upon. The City Council further ratifies, approves and confirms such written notice and the contents and posting thereof.

Section 10. This Ordinance shall take effect and be in force from and after its passage and approval.

PASSED AND APPROVED this the 9th day of JULY, 2018.

CITY OF LA PORTE, TEXAS

By: _____
Louis R. Rigby, Mayor

ATTEST:

Patrice Fogarty, City Secretary

APPROVED:

Clark T. Askins, Assist. City Attorney



**Council Agenda Item
July 9, 2018**

9 (a) Receive report of the Economic Alliance Houston Port Region – J. Weeks



City of La Porte Annual Report

July 9, 2018

Overview

Our Mission

A non-profit organization, whose mission for over 30 years has been to ***Grow and market a vibrant regional economy.***

Impact Initiatives

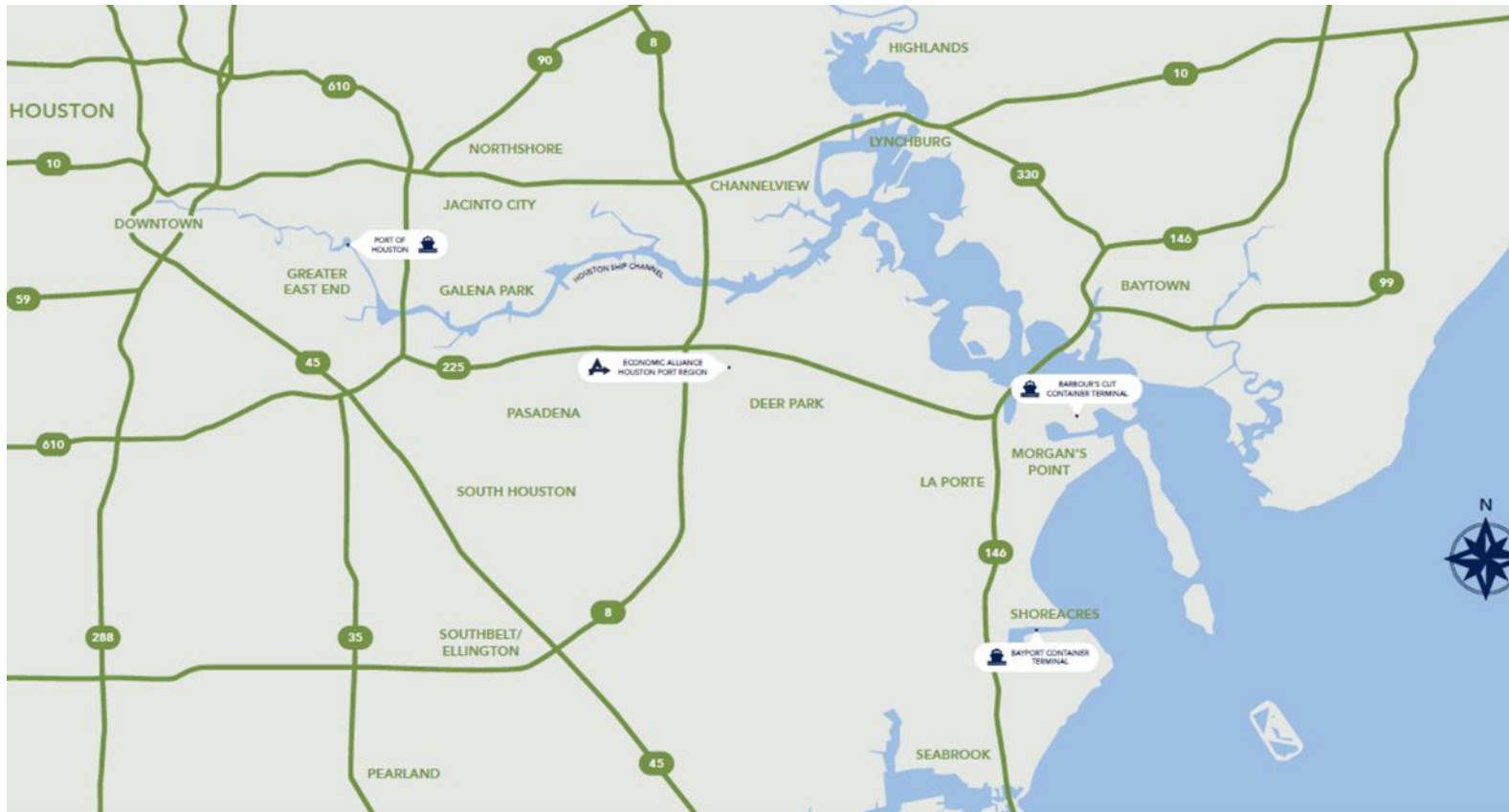
- Economic Development
- Public Policy
- Workforce Development
- Transportation
- Quality of Life



Who We Represent



Most sought-after region in the entire world for petrochemical, manufacturing, maritime and logistics operations



25 miles of the 52 mile
Houston Ship Channel

World's 2nd largest petrochemical complex

Nation's busiest port in terms of foreign tonnage

12 Cities, Harris County
and Port Houston

**250 Private Sector
Members**

Global leaders in refining and petrochemical production

Leadership – Executive Board



Chairman - Glenn Royal, Royal Financial Group Merrill Lynch

Barry Klein, Shell Deer Park, Site Manager

Brenda Hellyer, San Jacinto College District, Chancellor

Roger Blackburn, Wood Group USA, Executive Account Manager

Jeff Garry, , Dow Chemical Company, Houston Area Operations Director

Karen Gregory, CenterPoint Energy, Economic Development Regional Manager

Steve Cote, Brady Chapman & Holland, Partner & Chairman PEDC

Mayor Tom Reid, City of Pearland – Ex Officio



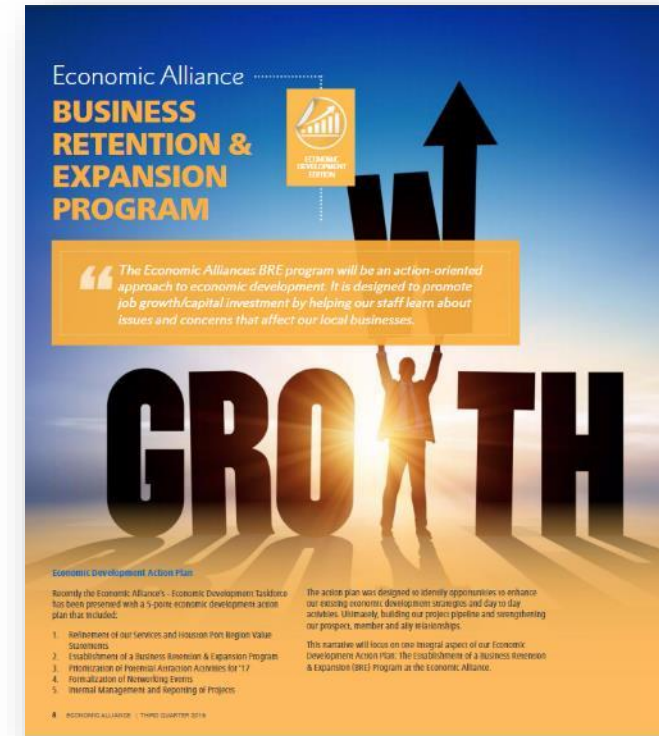
Economic Development

Economic Development

Professional Economic Development Services

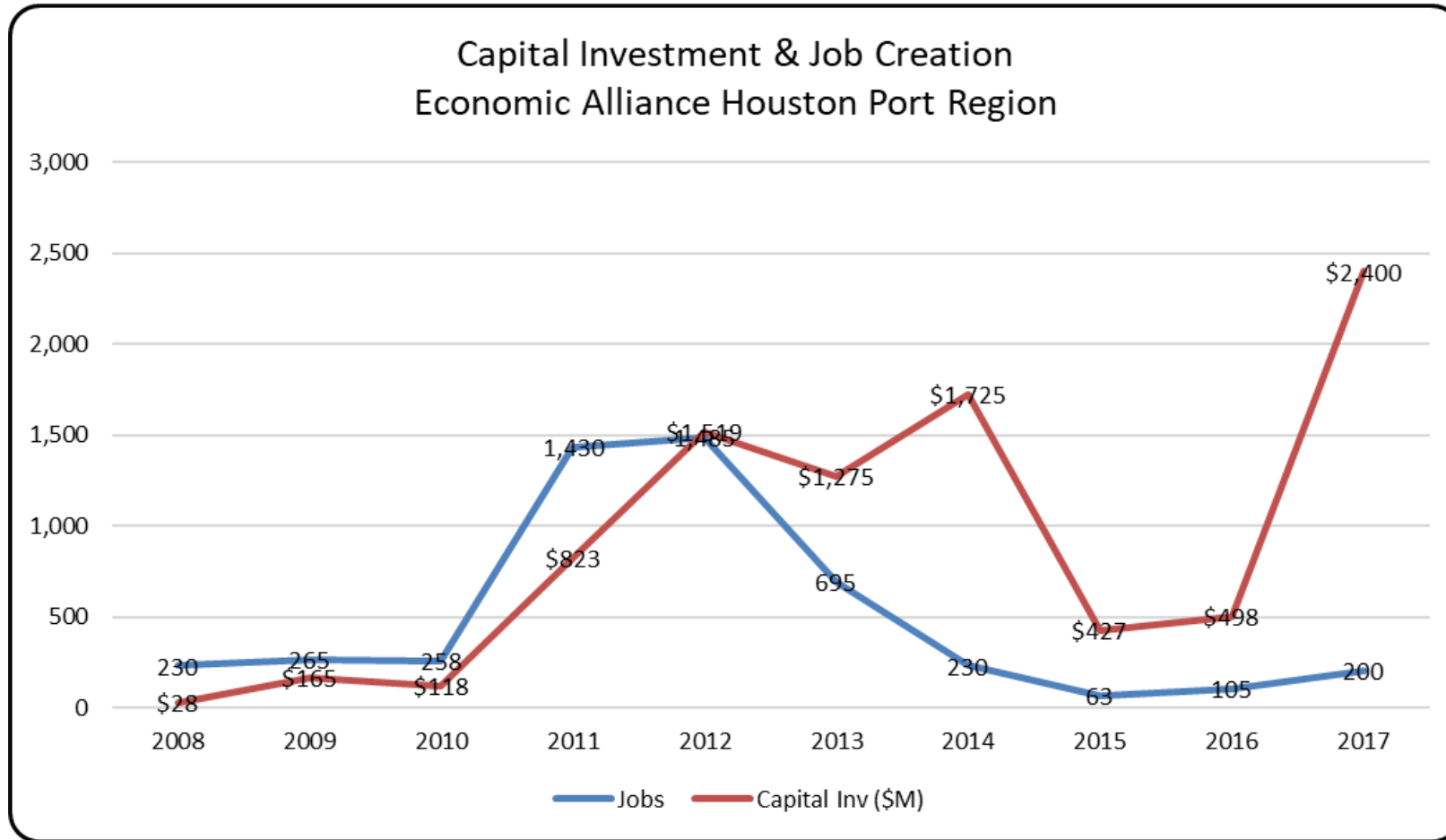
Provide a professional relationship to navigate the multiple facets of the site selection/expansion process, including the facilitation to our economic development support network.

- Conduct **real estate searches**
- Participation and coordination of **site-selection tours**
- Facilitate **access to data**
- Provide guidance in evaluating State and Local **incentive & workforce programs**
- **Advocacy** for projects & **mobilization** of key board members



Economic Development

Impact on the Houston Port Region – Historical



59 “Wins” over a 10-year period:

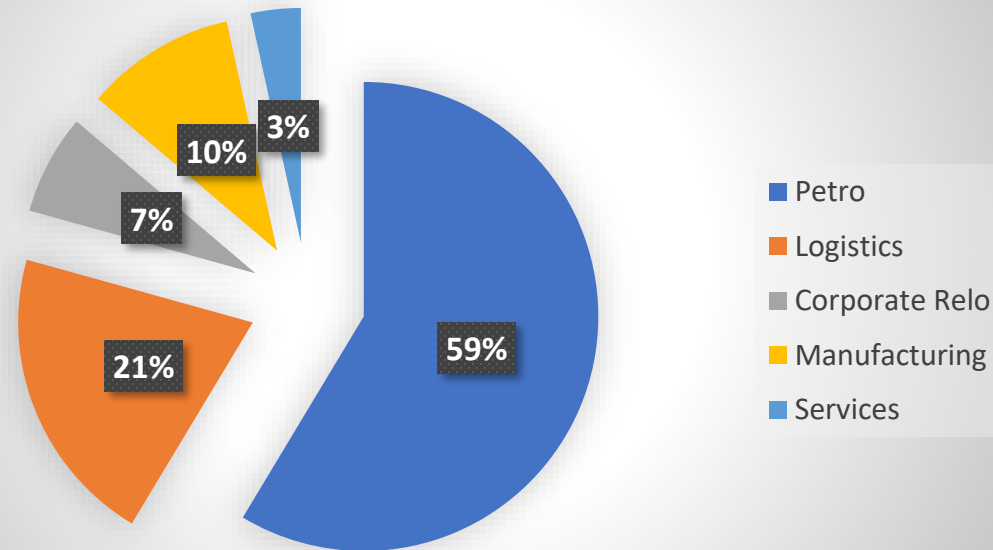
- **\$8.9B Capital Investment**
- **4,961 Jobs Created**

Economic Development

Current Project Pipeline Breakdown

Total Projects	Potential Direct Job Creation	Potential Capital Investment
34	1,994	\$6.5B

Sector Breakdown by Percentage





La Porte Project Wins 2008 - 2017							
Company	Year	Target Industry	City	Jobs	Capital Investment (\$1mm)	La Porte Tax Rate	La Porte Annual Tax Revenue
New Orleans Cold Storage	2008	Food industry	LP	25	\$10	0.0071	\$71,000
Ventura	2008	Manf	LP	25	\$3	0.0071	\$21,300
AGCO Corporation	2008	Manf - Ag Equip	LP	50	\$1	0.0071	\$7,100
Air Products		PetroChem	LP	25	\$50	Industrial District*	\$220,100
Sea Scouts	2009	Hospitality	LP	2	\$0.25	NA	\$0
Desselle - Maggard Corp.	2009	Manf	LP	45	\$3	0.0071	\$21,300
LyondellBasell	2010	PetroChem	DP, LP, C	NA	NA	0.0071	\$0
Invista	2010	PetroChem	LP	105	\$40	Industrial District*	\$176,080
Noltex	2011	PetroChem	LP	20	NA	New Construction**	\$0
Clay Development	2011	Logistics	LP		\$15	0.0071	\$106,500
DuPont	2011	PetroChem	LP	490	\$5	Industrial District*	\$22,010
BOSTCO	2011	Logistics	LP	70	\$400	New Construction**	\$710,000
Linde	2013	PetroChem	LP	50	\$200	Industrial District*	\$880,400
Kobelco Compressors America, Inc.	2014	Manf	LP	10	2	0.0071	\$14,200
Ienos Olefins & Polymers USA/ Sasol Chemicals No America	2014	PetroChem	LP	30	400	Industrial District*	\$1,760,800
Siluria Technology	2015	PetroChem	LP	3	\$17	Industrial District*	\$74,834
LyondellBasell	2015	PetroChem	LP	30	\$270	Industrial District*	\$1,188,540
TOTAL		17 Projects		980	\$1,416		\$5,274,164
						Industrial District* 62% of .0071 tax rate New Construction** 25% of .0071 tax rate	

Economic Development



Why focus on the Petrochemical Industry?

For every one job created from the business of chemistry, **6.8 jobs are created in other sectors.**

In addition, the average annual salary of a U.S. chemical industry employee is \$94,000, which is 44 percent higher than the average U.S. manufacturing pay.





Public Policy

Public Policy

One Voice, Under the Leadership of the Economic Alliance

32 Economic Alliance
Members Participated in
35 Meetings in
Washington DC



24 Economic Alliance
Members Participated in
31 Meetings in
Austin TX



Workforce Development

Workforce Development

Inspiring & Preparing the Next Generation Workforce

Filling the pipeline of potential workers in the petrochemical, maritime and logistics industries.



Leveraging **partnerships** with the EHCMA and 9 community colleges to **recruit and train a qualified workforce**



Providing **career paths and job opportunities** to address **attrition, skill enhancement and demand**



2018 YTD – 33 presentations = 3,591 contacts

2017 – 72 presentations = 12,909 contacts

2016 – 50 presentations = 5,222 contacts

Six events with LPISD in '17 & '18



Workforce Development



Safety Rates by Industry

**OSHA Commonly Used Statistics:
Comparisons of Weighted Averages by Industry**

13.7 – Nursing and Residential Care

10.2 – Police Protection

5.9 – Hospitals

3.5 – Education and Health services

0.6 – Real Estate

3.6 – All Manufacturing Industry

2.5 – Texas Manufacturing

2.0 – All Chemical Manufacturing

1.3 – Texas Chemical Manufacturing

Local Plants

0.37 – La Porte Plants in 2017 (employee and contractors)

0.30 – Pasadena Plants in 2017 (employee and contractors)

Safety Rates are incidents* per 200,000 man hours, or 100 people/year

*Incidents = anything above first aid, (requiring medical attention)



Transportation

Public Policy - Transportation Taskforce



Committee of Regional Transportation Stakeholders

- East Harris County Mfg's Assoc. (130+ plants)
- Regional Mayors
- Port of Houston Authority
- Harris County
- TxDOT
- HGAC
- BayTran

**Addressing critical issues associated with the
movement of Freight and Commuters**

Public Policy - Transportation Taskforce

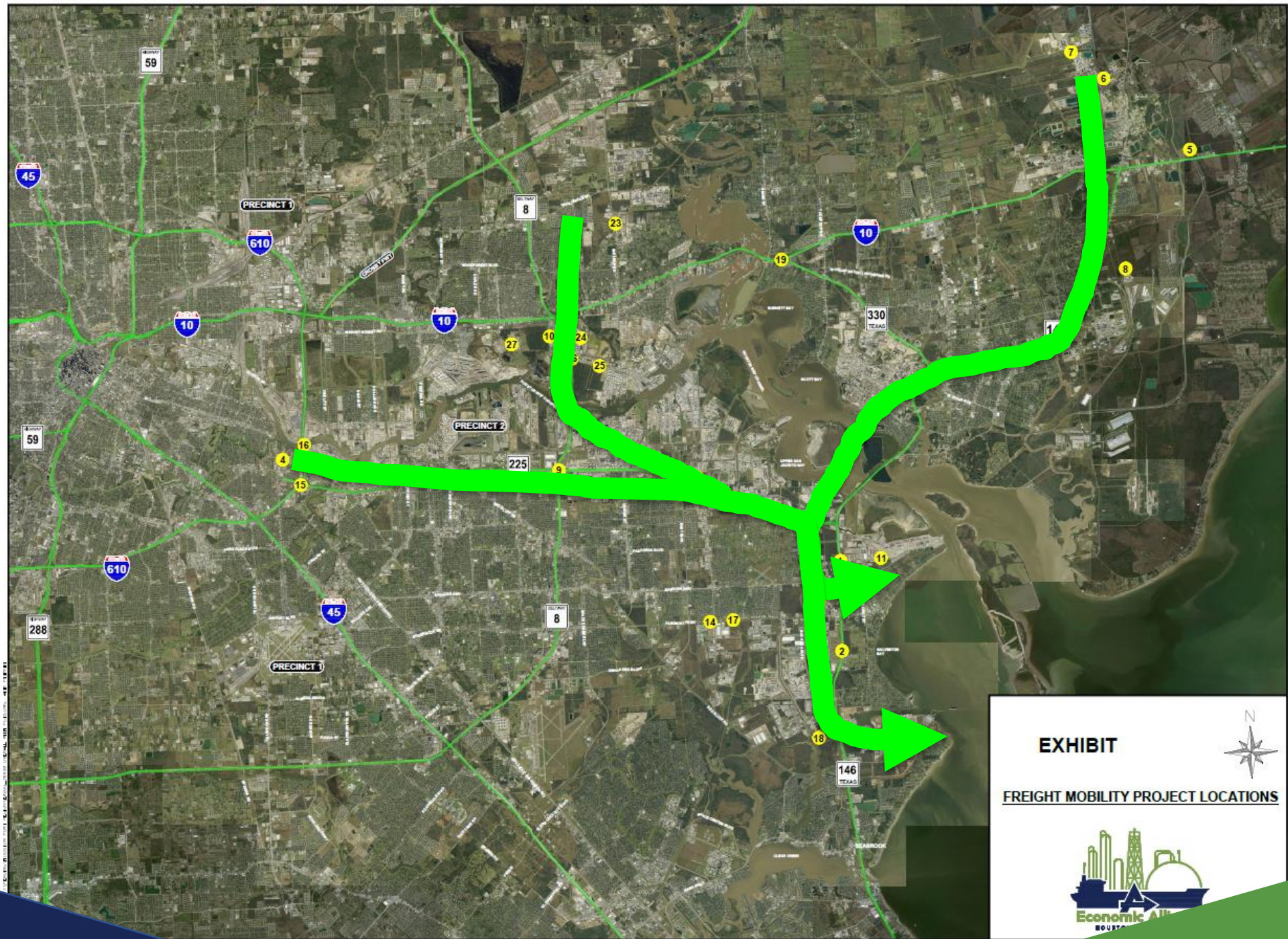


Why the Urgency

1. \$50B in projects in the petrochemical industry over the last 5 years, the first production comes online in 2018
2. Combined with Port of Houston trade via the Panama Canal and increased resin production, container volumes will grow from 2 million TEU to 3 million TEU in 2-3 years
3. Houston Ship Channel activity accounts for 16% of states GDP
4. The state needs to invest in this critical freight infrastructure to avoid congestion & maintain global competitiveness.

Houston Port Region Freight Improvement Strategic Plan			
#	Project	Priority	Info & Updates
1	Barbours Cut Direct Connectors	H/S	August of 2019 Intersection improvements (not Direct Connectors) TxDOT is working with Texas A&M Transportation Institute to study Origin/Destinations between the Barbours' Cut Terminal and the SH 146/SH 225 interchange to determine the impacts of a direct connector
2	SH-146 Widening - Fairmont to Red Bluff Road	H/S	Widen to 6 main lanes Environmentally cleared Final design underway/anticipated to let in Fall 2022 The total cost of this project is approximately \$42 million
3	SH-225 expansion/improvement (8-East 146)	H/S	• TxDOT is working on a feasibility study for SH 225 from I-610 to SH 146. completion Q3 2018
4	Broadway Double Track Project	H/S	This may be in the TIP for FY 2017 as MPOID 17017 - please verify
5	Grand Parkway NE Segments H & I	H/S	Design-Build Project/recently awarded The total cost of this project is approximately \$1.4 Billion Estimated completion date is February 2022 Construction to begin Summer 2018
6	FM-1942 from Hatcherville Road to SH-146 – road improvement	H/S	
7	Hatcherville Rd from FM-1942 to Liberty/Chambers Co.Line – road widening	H/S	• No improvements are currently planned
8	FM 565 from SH-146 to SH-99 – widening and addition of turning lanes	H/S	MPOID 17113; FY 2024 Project from FM 1409 to SH 99: Reconstruct and realign roadway is anticipated to let for construction in FY 2018
9	BW-8 Direct Connectors @ SH-225: Westbound on 225 to 8 N, Northbound on 8 to E/W 225, Eastbound on 225 to 8S	H/M	Working with HCTRA Construction of 4 connectors is funded Applying for Federal Grant for the remain work Environmental studies underway No ROW needed Anticipated letting in 2021 Estimate construction cost for entire interchange is \$180 Million
10	SH146 from I10 to Business 146 (Alexander Drive)		The grade separation/freeway starts at Alexander and continues all the way to Red Bluff. There probably needs to be some work on SH146 North of 110 through Mont Belvieu also
11	Penn City Connector	H/M	
12	Barbours Cut Blvd expansion to 6 lanes	H/M	TXDOT in talks with Port Houston
13	SH-225 expansion/improvement (8-West 610)	H/M	
14	I-69 Bypass (feasibility of a bypass on the East side of Houston is being considered)	H/M	Potentially starting as far South as Wharton and tying as far North as Cleveland Potential to use SH 99 Seg. H & I Southern Section of an I-69 Bypass is being discussed through HGAC TxDOT is beginning an Origin-Destination Study (O-D) to determine how many trucks would use the route
15	Fairmont Parkway (Turning improvements)	H/M	Under construction County and La Porte funded through TxDOT Grant
16	SH-225 and I-610 Interchange	H/L	TxDOT is working with H-GAC to begin a feasibility study for SH 225 from I-610 to SH 146
17	I-610 bridge at HSC	H/L	Additional meetings with the Economic Alliance are requested to identify the needs and project scope at this location
18	Fairmont Parkway (Widening)	H/L	Widening is recommended from Canada Rd to SH 146. There are at least 3 major freight generators on the south side of Fairmont in this area.
19	Port Road Phase 3 & Drainage	M/M	Related project: MPOID 10452 in FY 2020 widens Port Rd. from SH 146 to Todville
20	SH-330 (improve northbound connectivity to I-10 - 2 lanes or direct connect)	M/M	Construct Northbound to Eastbound connection Working to secure construction funding Anticipated environmental clearance – Summer 2018 The estimated let date is Spring 2022 The total cost of this project is approximately \$10 million
21	Independence Parkway (improve Northbound connectivity to SH-225)	M/M	dedicated turning lane. Getting those trucks in and out of Ind. Blvd. Increase turning capacity
22	Spencer Highway Bridge (Bayport Rail Mainline) at Fairmont	M/L	MPOID 10532; FY 2018
23	Bayport Mainline Rail Track	M/L	MPOID 10455; FY 2017
24	Sheldon Road expansion	M/L	County updating cost estimate of project
25	Applet Road (Sheldon to Market)	M/L	
26	Jacintoport Road Improvement	L/L	Also on the Primary Highway Freight System, thereby eligible for federal freight funding
27	Jacintoport Direct Connectors	L/L	Direct Connect makes it a TxDOT/HCTRA discussion
28	Haden Rd (extension to Penn City Rd)	L/L	County roadway/POHA
	TxDOT Projects shaded		Priority Level: Time Frame Required:
	Harris County Projects		H - HIGH Priority / S - SHORT Term 0-5 yrs M - MEDIUM Priority / M - MID Term 5-10 yrs L - LOW Priority / L - LONG Term 10+ yrs







Quality of Life

Mini-Mural Matching Grant Program





Member Involvement

Task Forces

Provide Your Voice, Contribute and Connect

8 Task Forces - Member education/growth, along with setting a public policy agenda, event planning, workforce enhancement and marketing the region through Q of L and economic development initiatives



Business Growth

Provide mechanisms for the education and development of business - **1st Wed 9am**



Public Policy

Info sharing to set a public policy agenda for the region - **4th Tues 3pm**



Gulf Coast Industry Forum

Input and planning of our largest signature event- **3rd Tues 3pm**



Economic Development

Promote job creation and capital investment in the region - **4th Wed 3pm**



Transportation

Prioritize and support local transportation projects - **Invite**



Women's Leadership

Showcasing and empowering women's leadership



Quality of Life

Enhance our regions marketable image – **Bi-monthly**



Workforce Development

Promotion of workforce development initiatives - **3rd Thurs 3pm**

Informing the Nation

Gulf Coast Industry Forum: September 19-20

9th Year in the Pasadena Convention Center

2-day Conference Brings Together Industry Leaders focused in Petrochemicals, Energy and Logistics



Gulf Coast Industry Forum
AN ECONOMIC ALLIANCE HOUSTON PORT REGION EVENT



Networking & Connections

- **1000+** Attendees
- **40** Exhibiting Companies & Institutions



Industry & Market Insight

- Global Chemicals Outlook
- Plant Managers Panel
- Midstream Oil & Gas Report
- Regulations & Policy Update
- Port Houston Update





Thank You

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**Council Agenda Item
July 9, 2018**

**10 (a) Receive report of the Drainage and Flooding Committee Meeting – Councilmember
Danny Earp**



Council Agenda Item July 9, 2018

11. ADMINISTRATIVE REPORTS

- Planning and Zoning Commission Meeting, Thursday, July 19, 2018
- City Council Meeting, Monday, July 23, 2018
- Zoning Board of Adjustment Meeting, Thursday, July 26, 2018
- La Porte Redevelopment Authority/Tax Reinvestment Zone Number One Meeting, Wednesday, July 11, 2018

12. COUNCIL COMMENTS regarding matters appearing on the agenda; recognition of community members, city employees, and upcoming events; inquiry of staff regarding specific factual information or existing policies. Councilmembers Kaminski, Zemanek, Bentley, Engelken, Earp, Ojeda, J. Martin, K. Martin, and Mayor Rigby

13. EXECUTIVE SESSION

The City Council reserves the right to meet in closed session on any agenda item should the need arise and if applicable pursuant to authorization by Title 5, Chapter 551, of the Texas Government Code, in accordance with the authority contained in:

Texas Government Code, Section 551.071 (2) -Consultation with Attorney: Meet with City Attorney and City Manager to discuss and receive direction regarding negotiations with Industrial representatives for terms of new Industrial District Agreements.

14. RECONVENE into regular session and consider action, if any, on item(s) discussed in executive session.

15. ADJOURN
